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*****I**

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 (A8-0054/2018),
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 *in which citizens, companies and their employees communicate, access information and knowledge, consume, participate and* work by facilitating opportunities for innovation, growth and jobs. *That* Communication, *along with several resolutions adopted by the European Parliament, 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 *and national* portals, *websites*, networks, services and systems and by linking them, *thereby creating a European single entry point, or* ‘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.

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.

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 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

Amendment

(4) This Regulation responds to these calls by offering citizens and businesses access to **the** information, **online** procedures and assistance and problem solving services **that** they need for the

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.

exercise of their rights in the internal market. *The single digital gateway could help contribute to the greater transparency of rules and regulations in areas such as travel within the Union, work and retirement in the Union, residence by citizens in Member States other than their Member States of origin, access to education in other Member States, access to healthcare, exercise of family rights, residence rights, citizens' rights and consumer rights. Furthermore, it could help improve consumers' confidence, address fragmentation in consumer protection and internal market rules and reduce compliance costs for businesses.* This Regulation establishes a *user-friendly, interactive* single digital gateway *which, based on users' needs, should guide them to the most appropriate services.* *In that* context, the Commission, *Member States* and competent authorities would play an important role in achieving those objectives.

Amendment 4

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4 a) The single digital gateway should facilitate interactions between citizens and businesses, on the one hand, and public administrations and competent authorities, on the other hand, by providing access to online portals, webpages and websites managed at Union, national, regional or local level, facilitating the day-to-day activities of citizens and businesses and minimising obstacles incurred in the single market. The existence of a single digital gateway providing access to accurate and up-to-date information, online access to procedures and assistance and problem solving services could help raise users'

awareness of the different existing online services and could save users costs and time involved in determining which online service is the most appropriate for their requirements.

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.

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 *burdens* 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.

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 all natural persons residing in a Member State***, 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.

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 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'

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 and make it more effective. The gateway should also facilitate access to **and completion of** 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.

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 **online** access to procedures. Therefore, this Regulation should require Member States to enable users to fully complete **online, where applicable, the** procedures **listed in Annex II** that are of key importance to the majority of citizens and businesses **or to complete other procedures that are available to users in a Member State online and that have been established at national level, by central State bodies or made available to all sub-central authorities. This Regulation should not affect** in any way the existing **rights and obligations under** Union and/or national law within those policy areas. 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, this** Regulation should support the use of the ‘once-only’ principle, **and should fully respect the fundamental right to the protection of personal data,** for the purpose of the exchange of evidence between competent authorities in different Member States.

Amendment 9

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

Amendment

(12) The **single digital gateway and the information, 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. **The gateway should aim to**

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.

avoid overlaps and provide links between existing services. 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 ***on the basis of anonymous data in order to protect the personal data of users.***

Amendment 10

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 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.

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 ***visible on all Union and national websites that form part of, and are linked to, 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.

Amendment 11

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 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.

Amendment

(15) This Regulation should enhance the internal market dimension of online procedures, ***thereby contributing to the digitalisation of the internal market***, by upholding the general principle of non-discrimination 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, ***national prefixes for 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 a field 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.

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 12

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

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. This Regulation should respect technological neutrality as regards electronic identification and authentication systems.***

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).

transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).

Justification

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

Amendment 13

Proposal for a regulation

Recital 18

Text proposed by the Commission

(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.

Amendment

(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. **Such a requirement of full digitalisation should not apply where a procedure does not exist in a Member State.** The **'notification** of business activit'**'** is one of such procedures of particular relevance for businesses. **This Regulation** should not, however, cover the procedures leading to the constitution of companies or firms as legal entities **including registration as a sole trader, a partnership or any other form that is not a separate legal entity or the registration of a business activity with the business register**, 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. *It is also appropriate for procedures related to taxation matters to be made available online as these procedures tend to represent one of the main obstacles to the cross-border operation of small and medium-sized enterprises in the Union.*

Amendment 14

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18 a) 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 electronic means or, where required by Union or national law, by physical delivery. This should be without prejudice to the competences of Member States to establish direct contact and communication with citizens and businesses using the procedures for the purpose of necessary further clarifications that do not require direct physical presence.

Amendment 15

Proposal for a regulation Recital 19

Text proposed by the Commission

(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, **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.

Amendment

(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 roadworthiness of motor 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 accessible 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 **for a step** 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 **non-discriminatory and** limited to situations where **it is absolutely necessary for the Member States to implement strictly necessary, objectively justified and proportionate measures in the interest of general security, public health and the fight against fraud. Where technologies exist that could replace a personal appearance before an authority, for instance secure online communication such as live chats or video-conferencing, these should be used, unless that is contrary to the formal prerequisites of the law of the Member State in which the procedure is being conducted. Any such exceptions should be notified and justified to the Commission and the gateway coordination group and should be discussed and reviewed regularly in the gateway coordination group together with good national practices and technical developments that would facilitate the further digitalisation of procedures.**

Amendment 16

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

Amendment

(20) ***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 not interfere with the competences of Member States in setting up any procedure and in granting competences to national authorities, or with 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.***

Amendment 17

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,

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 assistance or problem solving services***

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.

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 categories of*** 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.***

Amendment 18

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 ***or*** semi-private entities, ***or public bodies, 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.

Amendment 19

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.

Justification

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

Amendment 20

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 of the information provided in the national language or languages.

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 national ***or official*** language ***or languages*** of a Member State but also in, at least, one additional official language of the Union ***that is understood by the largest possible number of users in cross-border activities***. The translation from the ***official or*** national language or 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 the largest possible number of users in cross-border activities. Cross-border activities should be defined as activities in which the user is not in all respects confided within a single Member State. When providing information in at least one official language of the Union that is additional to the national or official language, or where applicable national or official languages, Member States should also take into consideration the possibility that certain information could be sought more strongly by specific language speaker groups such as users from neighbouring countries or in cross-border regions.*

Amendment 21

Proposal for a regulation Recital 25 a (new)

Text proposed by the Commission

Amendment

(25 a) *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 and that they comply with the requirements of that Directive. While the Website Accessibility Directive 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 that Directive. In particular, the Commission is encouraged to comply with the relevant European harmonised standards, providing compliance with the requirements of perceivability, understandability, operability and robustness. The Commission and the Member States should ensure compliance with United Nations Convention on the Rights of Persons with Disabilities, especially Articles 9 and 21 thereof, and, in order to foster access to information for persons with intellectual disabilities, alternatives in easy-to-read language should be provided to the greatest possible extent and proportionately.

^{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).

Amendment 22

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) Online services provided by competent authorities are crucial for increasing the quality of the services provided to citizens and businesses. Where public administrations within Member States increasingly no longer require that citizens and businesses supply the same information several times but instead are working towards the re-use of data, the same should be facilitated for users faced with procedures in other Member States, to reduce additional burden.

Amendment

(27) Online services provided by competent authorities are crucial for increasing the quality **and security** of the services provided to citizens and businesses. Where public administrations within Member States increasingly no longer require that citizens and businesses supply the same information several times but instead are working towards the re-use of data, the same should be facilitated for users faced with procedures in other Member States, to reduce additional

burden.

Amendment 23

Proposal for a regulation Recital 27 a (new)

Text proposed by the Commission

Amendment

(27 a) 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, the application of this Regulation and of the ‘once-only’ principle shall be in compliance with all applicable data protection rules including the principle of data minimisation, accuracy, storage limitation, integrity and confidentiality, necessity, proportionality and purpose limitation, as well as data protection by design and by default. It should also be implemented in full compliance with the principles of privacy and security by design and the respect for fundamental rights of individuals, including fairness, and transparency.

Amendment 24

Proposal for a regulation Recital 27 b (new)

Text proposed by the Commission

Amendment

(27 b) The Member States and the Commission should ensure that users of the technical system for the exchange of evidence established in accordance with the Regulation (‘the technical system’) are provided with clear information on how personal data relating to them will be processed in accordance with Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council^{1a} and Articles 11 and 12 of Regulation (EC) No 45/2001. The users

should also have the right to object to the processing of their personal data in the technical system pursuant to Article 21(1) of Regulation (EU) 2016/679.

^{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).

Amendment 25

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*, provide the basis for the establishment of a fully functioning, safe and secure technical system for the automated exchange of evidence 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 governing the online procedures listed in Annex II.*

Amendment 26

Proposal for a regulation Recital 28 a (new)

Text proposed by the Commission

Amendment

(28 a) As citizens and businesses in most cases would not be aware that the cross-border exchange of evidence can be enabled upon request, the user should be adequately informed of this option when using the online procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU and the procedures listed in Annex II. The user should have full control over the exchange of evidence, based on an explicit request made personally by the user to the competent authority for the exchange of evidence. The request should be considered explicit if it contains a freely given, specific, informed and unambiguous indication of the individual's wish to have the relevant information exchanged, either by means of a statement or by a clear affirmative action. An explicit request for the exchange of evidence should not be simply inferred from a request to carry out a specific procedure (e.g. to register a motor vehicle), nor from a general request by the user, such as a request to obtain all necessary documents from all relevant authorities for a given procedure.

Amendment 27

Proposal for a regulation Recital 28 b (new)

Text proposed by the Commission

Amendment

(28 b) The use of the technical system should remain voluntary and the user should also be able to submit evidence by other means outside the technical system established by this Regulation. The user should have the possibility to preview

the evidence and the right to monitor or withdraw the explicit request for the exchange of evidence at any time of the procedure. Such a withdrawal could typically take place in cases where the user, after previewing the evidence to be exchanged, discovers that the information is inaccurate, out-of-date, or goes beyond what is necessary for the procedure at hand. 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.

Amendment 28

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.

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 from the side of the issuing authorities as regards the authenticity and legality of the provided documents. 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*** 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 Electronic Exchange of Social Security Information (EESSI)***, 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).

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).

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).

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).

Amendment 29

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

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, **organisational and operational** 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, **including measures necessary to ensure interaction of the user with the technical**

European Parliament and of the Council³⁶.

system and interaction between competent authorities. 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).

Amendment 30

Proposal for a regulation Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) With a view to ensuring a high level of security of the technical system for the cross-border application of the 'once-only' principle, when adopting implementing acts setting out the specifications for such a technical system, the Commission should take due account of the standards and technical specifications drawn up by European and international standardisation organisations and bodies, in particular the European Committee for Standardisation (CEN), the European Telecommunications Standards Institute (ETSI), the International Organisation for Standardisation (ISO) and the International Telecommunication Union (ITU), in accordance with Article 32 of Regulation (EU) 2016/679 and Article 22 of Regulation (EC) No 45/2001.

Justification

Explicit mention of Regulation 2016/679 (GDPR) and Regulation 45/2001 as regard the technical specifications on security

Amendment 31

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) The compliance with the quality criteria should be the responsibility of the competent authorities and the Commission in relation to the information, procedures and services which they are responsible for. The national coordinators and the Commission should supervise compliance with the quality criteria at national and Union level respectively, and address any problems that arise. This Regulation should give the Commission a wide range of means to address any deterioration in the quality of services offered through the gateway, depending on the seriousness and persistence of such deterioration, which would include involving the gateway coordination group. This should not prejudice the overall responsibility of the Commission regarding the monitoring of the compliance with this Regulation.

Amendment

(32) The compliance with the quality criteria should be the responsibility of the competent authorities and the Commission in relation to the information, procedures and services which they are responsible for. The national coordinators and the Commission should, ***at regular intervals***, supervise compliance with the quality ***and security*** criteria at national and Union level respectively, and address any problems that arise. ***The national coordinators should in addition supervise and monitor the functioning of the technical system enabling the cross-border exchange of evidence.*** This Regulation should give the Commission a wide range of means to address any deterioration in the quality of services offered through the gateway, depending on the seriousness and persistence of such deterioration, which would include involving the gateway coordination group. This should not prejudice the overall responsibility of the Commission regarding the monitoring of the compliance with this Regulation.

Amendment 32

Proposal for a regulation

Recital 33 a (new)

Text proposed by the Commission

Amendment

(33 a) This Regulation should also specify a set of quality requirements for the common user interface. The Commission should ensure that the common user interface complies with those requirements and in particular it should be available and accessible online

through various channels, be easy to navigate and use clear information. To ensure that users are aware of the common user interface, it should be easily recognisable on both national and Union level websites and webpages.

Justification

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

Amendment 33

Proposal for a regulation Recital 33 b (new)

Text proposed by the Commission

Amendment

(33 b) 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.

Amendment 34

Proposal for a regulation Recital 33 c (new)

Text proposed by the Commission

Amendment

(33 c) The Commission should ensure that the public procurement procedures for the development of the IT applications and webpages for IT applications supporting the gateway take due account of the innovation criteria and the need for open standards to facilitate the reuse and interoperability of these IT solutions.

Amendment 35

Proposal for a regulation Recital 34 a (new)

Text proposed by the Commission

Amendment

(34 a) The name by which the gateway is to be known and promoted to the general public should be the English designation 'Your Europe', the same name as the existing portal. The common user interface should be prominently and easily found, particularly via different web searches and national and Union websites and webpages. The Union level logo of the gateway should be visible on all Union level websites as well as on national level websites linked to the gateway. When search facilities within national webpages or website exist, the gateway should be accessible within the search options of the national webpages or websites. 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 on webpages or websites of individual services managed at Union level.

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

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

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.

the gateway. Poor experiences with the online information and services provided at Union and national level might generate a negative perception of the gateway. Therefore, the quality of the information, procedures, assistance and problem solving services available through the gateway should be regularly monitored primarily through a user feedback tool combined with an opportunity to reply in free text that will ask users 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 raise trust and ensure transparency for users, the feedback should be aggregated and made publicly available in an anonymised way as open data on the Commission's website as well as on the gateway itself in the form of summarising reports. In order to ensure uniform conditions for the implementation of this Regulation in relation to the functionalities of this user feedback tool and the modalities related to the collection, sharing and publication 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.

Amendment 37

Proposal for a regulation Recital 40

Text proposed by the Commission

(40) Where the measures provided for in this Regulation entail the processing of personal data, they should be carried out in accordance with Union law on the protection of personal data, in particular **[Directive 95/46/EC³⁸]** [Regulation (EU)

Amendment

(40) Where the measures provided for in this Regulation entail the processing of personal data, **that processing** should be carried out in accordance with Union law on the protection of personal data. In particular, **Regulation (EC) No 45/2001 of**

2016/679 of the European Parliament and of the Council³⁹] and [new Regulation replacing (EC) No 45/2001] of the European Parliament and of the Council.

³⁸ *Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31–50).*

³⁹ 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) (OJ L 119, 4.5.2016, p. 1).

the European Parliament and of the Council³⁸, Regulation (EU) 2016/679 and Directive (EU) 2016/680 of the European Parliament and of the Council³⁹ should apply in the context of this Regulation.

³⁸ *Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1)*

³⁹ 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) (OJ L 119, 4.5.2016, p. 1).

^{39a} *Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).*

Amendment 38

Proposal for a regulation Recital 40 a (new)

Text proposed by the Commission

Amendment

(40a) The system set up should secure user data against hacking and cyber-attacks.

Amendment 39

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 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.

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.

Justification

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

Amendment 40

Proposal for a regulation

Recital 42

Text proposed by the Commission

(42) In order for the Member States and the Commission to develop and implement the necessary tools to give effect to this Regulation, certain of its provisions should apply from two years after the date of entry into force.

Amendment

(42) In order for the Member States and the Commission to develop and implement the necessary tools to give effect to this Regulation, certain of its provisions should apply from two years after the date of *its* entry into force. ***Other provisions that can be complied with more readily should apply from ... [18 months after the date of entry into force of this Regulation].***

Amendment 41

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, easily understandable**, high quality **and** 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;

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 42

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 to this Regulation and the procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU, through** the implementation of the 'once only'

principle;

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 43

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Where the provisions of this Regulation conflict with a provision of another Union act governing specific aspects of the subject matter covered by this Regulation, the provision of that other Union act shall prevail.

Amendment 44

Proposal for a regulation

Article 1 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. This Regulation shall not affect the substance of, or the rights granted through, any procedure laid down at the Union or national level in any of the areas covered by this Regulation.

. Ex-AM 40 of PR FdR 1137349Amendment

45

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

Amendment

1. A single digital gateway ("the gateway") shall be established by the

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* to relevant national and Union websites.

Commission and the *Member States* in accordance with this Regulation. The gateway shall consist of a common user interface integrated in *the* single portal '*Your Europe*' managed by the Commission. *The gateway* shall *provide access and links* to relevant national and Union websites *and webpages*.

Amendment 46

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 *enable users to exercise their* rights and comply with obligations and rules *in the field of the internal market*;

Amendment 47

Proposal for a regulation

Article 2 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. *The Commission is empowered to adopt delegated acts in accordance with Article 34 to amend Annex I by updating the information in the existing information categories and to amend Annex III by adding further assistance and problem solving services to it in order to take into account new developments in access to the rights, obligations and rules laid down in Union law and national law.*

Amendment 48

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘competent authority’ means any Member State body or authority established at either national, regional or local level with specific responsibilities relating to the information, procedures, assistance and problem solving services covered by this Regulation;

Amendment

(3) ‘competent authority’ means any Member State body or authority established at either national, regional or local level with specific responsibilities relating to the information, procedures, assistance and problem solving services covered by this Regulation ***or any other person or body in which the Member State has vested such competence;***

Amendment 49

Proposal for a regulation

Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(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).

Amendment

(4) ‘evidence’ means any document or 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).

Justification

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

3Amendment 50

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 webpages ***and websites:***

Amendment 51

Proposal for a regulation

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. In addition those webpages and websites shall contain a link to the common user interface referred to in Article 2(1).

Amendment 52

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 common user interface and the integrated internal search engine facilities.

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 53

Proposal for a regulation

Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. The Commission and the Member States may provide additional information other than that specified in Annex I and Annex II.

Amendment 54

Proposal for a regulation

Article 5 – title

Text proposed by the Commission

Amendment

Access to procedures

Online access to procedures

Justification

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

Amendment 55

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

Amendment 56

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 *fully access and* complete *online* the procedures listed in Annex II, *except where such procedures do not exist in the Member State concerned*.

Amendment 57

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

Amendment

3. The procedures, referred to in

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.

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 and where** the output of the procedure is also delivered electronically **or by physical delivery, where required by Union or national law and where users are provided with an electronic notification of completion of the procedure, without prejudice to the competences of the Member States to establish direct contact with citizens and businesses.**

Amendment 58

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, **in justified exceptional cases of general security, public health or the fight against fraud**, the objective pursued cannot be **fully** achieved **online**, **Member States may require** the user to appear in person before the competent authority **a step in the procedure. In those exceptional cases**, 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. **Member States should also ensure that physical presence requirements do not result in discrimination against cross-border users.** They shall notify such exceptions to the Commission **and the single digital gateway coordination group and duly justify them.**

Amendment 59

Proposal for a regulation

Article 5 – paragraph 5

Text proposed by the Commission

5. ***This Regulation*** shall ***not affect the substance of nor the rights granted through any procedure laid down at the Union or national level in any of the areas governed by this Regulation.***

Amendment

5. ***Member States*** shall ***ensure that competent authorities have the power to verify the authenticity and legality of all documents that are submitted as evidence. The documentary evidence exchanged through the technical system referred to in Article 12 shall, for the purposes of the receiving authority, be deemed to have been verified.***

Amendment 60

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 means ***other*** than an online channel.

Justification

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

Amendment 61

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Member States and the Commission shall ensure that users have easy, online access to assistance or problem solving services referred to in Article 2(2)(c).

Amendment

1. Member States and the Commission shall ensure that users have easy, ***non-discriminatory***, online access to ***the*** assistance or problem solving services referred to in Article 2(2)(c).

Amendment 62

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 **the intended recipients, such as micro- small and medium-sized enterprises, non-profit organisations** or citizens;

Amendment 63

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 **6a**, 9 and 13.

Justification

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

Amendment 64

Proposal for a regulation

Article 6 – paragraph 4

Text proposed by the Commission

4. Where the national coordinator has proposed the inclusion of a link in accordance with paragraph 3, and provides such link in accordance with Article 16(3), the Commission shall **assess** whether the conditions in that paragraph are met, and if so, **it shall activate** the link.

Amendment

4. Where the national coordinator has proposed the inclusion of a link in accordance with paragraph 3, and provides such link in accordance with Article 16(3), the Commission shall **by means of an implementing act, assess** whether the conditions in that paragraph are met, and if so, **activate** the link.

Amendment 65

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Quality requirements related to web accessibility

1. Member States shall ensure compliance with Directive 2016/2102 as regards the websites and webpages through which they grant access to:

(a) the information referred to in Article 4(1);

(b) the procedures referred to in Article 5; or

(c) the assistance and problem solving services referred to in Article 6.

2. The Commission shall make the websites and webpages through which it grants access to the information referred to in Article 4(2) and to the assistance and problem solving services referred to in Article 6 more accessible within the meaning of Article 4 of Directive 2016/2102.

Amendment 66

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The **competent authorities** and the Commission shall ensure that where, in accordance with Article 4 they are responsible for ensuring access to information **as** referred to in Article 2(2)(a) that information complies with the following requirements:

1. The **Member States** and the Commission shall ensure that where, in accordance with Article 4 they are responsible for ensuring access to **the** information referred to in Article 2(2)(a) that information complies with the following requirements:

Amendment 67

Proposal for a regulation

Article 7 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) it is user-centric, meaning that the information is provided taking due account of the efficient, easy and user-friendly means by which users can find all the relevant information;

Amendment 68

Proposal for a regulation

Article 7 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) it includes the name of the entity responsible for the content of the information;

(c) it includes the name of the **authority or** entity responsible for the content of the information;

Amendment 69

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) it includes the name of the authority or entity responsible for the procedures and completing the procedures;

Justification

Information about the authority or entity responsible for procedures should also be mentioned.

Amendment 70

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) it includes contact details and links to any relevant assistance and problem solving services;

(d) it includes contact details, **including at least a phone number, an email address and possibly supported by other means of electronic communication**, and links to any relevant assistance and problem solving services;

, ex AM 233 and 234 of AM FdR 1139597)Amendment

71

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

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.

Amendment

2. The **Member States** shall provide the information in at least one official language of the Union **broadly understood by the largest possible number of users** in addition to the national **or official** language or, where applicable, the national **or official languages of their Member State**. **This shall be without prejudice to Member States' legislation regarding the use of** languages.

Amendment 72

Proposal for a regulation

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

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:

Amendment

1. The **Member States** 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). **Such access should be available, where relevant, before the user has to authenticate and** identify **him or herself** prior to launching the procedure:

Amendment 73

Proposal for a regulation

Article 8 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Amendment 74

Proposal for a regulation

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

Text proposed by the Commission

Amendment

- (aa) the competent authorities it involves and the organisation with the principal responsibility for the procedure, including its contact details in case of complaints;***

Amendment 75

Proposal for a regulation

Article 8 – paragraph 1 – point f

Text proposed by the Commission

Amendment

- (f) the estimated time ***required*** to complete the procedure ***and any applicable deadlines***;

- (f) ***any deadlines to be respected by the user or by the competent authority, and the estimated time the competent authority needs*** to complete the procedure;

Amendment 76

Proposal for a regulation

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

Text proposed by the Commission

Amendment

- (f a) in the case of lack of reply from***

the competent authority, any rules or the consequences thereof for the users;

Amendment 77

Proposal for a regulation

Article 8 – paragraph 1 – point g

Text proposed by the Commission

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

Amendment

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

Justification

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

Amendment 78

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ga) any exception to the obligation of Member States to provide the procedures under Article 5 fully online, with each exception having to be supplemented by a reasonable explanation of how those restrictions meet the criteria of absolute necessity and objective justification.

Amendment 79

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

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

2. Where the explanation referred to in paragraph 1 is already made available for users *in a Member State*, it may be reused for the purposes of this Regulation, provided that it contains information in

situation of **non-national** users, where applicable.

relation to the situation of **cross-border** users, where applicable.

7Amendment 80

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 **Member States** shall provide the explanation referred to in paragraph 1 in at least one official language of the Union **broadly understood by the largest possible number of users** in addition to the national **or official** language or, where applicable, the national **or official languages of their Member State. This shall be without prejudice to Member States' legislation regarding the use of** languages.

Amendment 81

Proposal for a regulation
Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

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 before submitting a request for a service as referred to in Article 2(2)(c):

Amendment

1. The **Member States** 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 before submitting a request for a service as referred to in Article 2(2)(c):

Amendment 82

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) the name and contact details **of** entities responsible for the service;

Amendment

(b) the name and contact details **including at least a phone number and an email address possibly supported by other means of electronic communication, of**

the entities responsible for the service;

Amendment 83

Proposal for a regulation

Article 9 – paragraph 1 – point d

Text proposed by the Commission

(d) the estimated time *required to deliver the service or an average response time*;

Amendment

(d) *any deadlines to be respected by the user or by the entities responsible for the service, and* the estimated time *within which the relevant entities responsible need to complete the procedure*;

Amendment 84

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.

Amendment 85

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

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.

Amendment

2. The *Member States* shall provide the explanation referred to in paragraph 1 in at least one official language of the Union *broadly understood by the largest possible number of users* in addition to the national *or official* language or, where applicable, the national *or official languages of their Member State. This shall be without prejudice to Member States' legislation regarding the use of*

languages.

Amendment 86

Proposal for a regulation

Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

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:

Amendment

The **Member States** shall ensure that the following requirements are fulfilled in relation to the procedures referred to in **Articles 5 and 11** for which they are responsible:

Amendment 87

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 informed in advance of the reasons thereof and **of any consequence this might have for meeting applicable deadlines, including a commitment to a new deadline where the current deadline committed to will not be met**.

Amendment 88

Proposal for a regulation

Article 11 – title

Text proposed by the Commission

Cross-border access to **online** procedures

Amendment

Cross-border **online** access to procedures

Amendment 89

Proposal for a regulation

Article 11 – paragraph -1 (new)

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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 or by central State bodies or uniformly made available to all sub-central authorities can be accessed and completed online by users of that Member State, it can also be accessed and completed online by users of other Member States in a non-discriminatory way.

Amendment 90

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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:

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

Amendment 91

Proposal for a regulation

Article 11 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(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;

(a) users are able to access and receive instructions for completing the procedure in **accordance with Articles 8(2) and (3) in at least one official language of the Union broadly understood by the largest possible number of users** other than the national **or official** language or, where applicable, the national **or official** languages **of the Member State concerned**;

Amendment 92

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) ***No*** 910/2014 of the European Parliament and of the Council, where identification, ***authentication*** and signature are required ***and where this is also possible for national users established in that Member State***;

Amendment 93

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 ***receive and 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***;

Amendment 94

Proposal for a regulation

Article 11 – paragraph 1 – point e

Text proposed by the Commission

(e) where the completion of a procedure requires a payment, users are able to pay any fees online through cross-border payment services, including, at a minimum, credit transfers or direct debits as specified in Regulation (EU) No 260/2012 of the European Parliament and

Amendment

(e) where the completion of a procedure requires a payment, users are able to pay any fees online through cross-border payment services, including, at a minimum, credit transfers or direct debits as specified in Regulation (EU) No 260/2012 of the European Parliament and

of the Council⁴⁰.

of the Council⁴⁰ ***and in accordance with Regulation (EU) No xxx on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market.***

⁴⁰ Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22–37).

⁴⁰ Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22–37).

Amendment 95

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.

Amendment 96

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

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.

format by the user for the purpose of an online procedure *referred to in this Article*.

Amendment 97

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

Amendment 98

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 **sole** purpose of the **electronic** 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, establish a fully functioning, safe and secure technical system (*'the technical system'*)** for the electronic exchange of evidence between competent authorities in different Member States.

Justification

New Recital proposed by the Greens combined with rapporteurs AM 10: The application of this regulation and of the once-only' principle shall be in compliance with all applicable data protection 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.

Amendment 99

Proposal for a regulation

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

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Text proposed by the Commission

Amendment

(-a) it shall only allow processing upon the explicit request of the user as referred to in paragraph 4;

Amendment 100

Proposal for a regulation

Article 12 – paragraph 2 – point e

Text proposed by the Commission

Amendment

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

(e) it shall **give** the user the possibility to preview the evidence to be exchanged **before it is made accessible to the competent authorities requesting the evidence, without prejudice to the information to be provided in accordance with Articles 13 and 14 of Regulation (EU) 2016/679;**

Amendment 101

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) it shall enable the user to monitor the exchange of evidence at the different stages of the processed transfer;

Amendment 102

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e b) it shall ensure a high level of interoperability with different national systems and with other relevant systems;

Amendment 103

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ec) it shall not store or process any data on the evidence exchanged beyond what is technically strictly necessary to achieve the exchange of the evidence, and only for the duration necessary for that purpose.

Amendment 104

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

Amendment

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.

4. The competent authorities responsible for **the** 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 paragraph 2, make such evidence available through the same system **after the user has had the possibility to preview the evidence to be exchanged and if the request has not been withdrawn.**

Amendment 105

Proposal for a regulation

Article 12 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The competent authorities responsible for the online procedures

referred to in paragraph 1 shall ensure that users have the possibility to make or withdraw an explicit request or to submit or withdraw evidence by means other than the technical system. The users shall have the possibility to withdraw the request at any point of the procedure and the conditions of such withdrawal shall not be more stringent than those for making such a request. The use of the technical system shall not be mandatory and the users shall also be able to make requests directly via other means outside the technical system. The users shall also be able to submit the evidence outside the technical system directly to the concerned competent authority.

Amendment 106

Proposal for a regulation

Article 12 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. *The automated cross-border data exchange shall be possible without the user's explicit request referred to in paragraph 4 where an automated cross-border exchange is permitted under Union or national law and where no personal data is concerned in the exchange.*

Amendment 107

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

Amendment

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

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 **to complete** the procedure for which the

evidence was exchanged.

evidence was exchanged.

Amendment 108

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. **By ... [one year after the entry into force of this Regulation], the** Commission shall adopt **the first** implementing acts to set out the **technical, organisational and operational** specifications of the technical system necessary for the implementation of this Article, **in particular for the interaction of the user with the system and with the competent authorities, as well as for the interaction between the competent authorities via the technical system. When adopting those implementing acts, the Commission shall take into account the fundamental rights of the users.** Those implementing acts shall be adopted in accordance with the **examination** procedure referred to in Article 35(2).

Amendment 109

Proposal for a regulation Article 12 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8 a. The Commission, in cooperation with the Member States, shall be responsible for the development, availability, maintenance, and security management of the technical system. The technical system shall be supervised and monitored by the Commission in consultation, where necessary, with the European Data Protection Board.

Amendment 110

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

Amendment 111

Proposal for a regulation

Article 13 – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

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

Amendment 112

Proposal for a regulation

Article 13 – paragraph 1 – point b

Text proposed by the Commission

Amendment

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

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

Amendment 113

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;

Amendment 114

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.

Amendment 115

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

Amendment

1. The national coordinators and the Commission shall monitor the compliance of the information, procedures and assistance and problem solving services available through the gateway for which they are responsible, with the quality requirements laid down in Articles 7 to 11 and 13. The monitoring shall be carried out on the basis of the data gathered in accordance with Article 22.

1. The national coordinators and the Commission shall **regularly** monitor the compliance of the information, procedures and assistance and problem solving services available through the gateway for which they are responsible, with the quality requirements laid down in Articles 7 to 11 and 13. **In addition, they shall monitor the compliance of the websites and webpages through which they grant access to such information, procedures and assistance problem solving services with the accessibility requirements laid down in Article 6a.** The monitoring shall be carried out on the basis of the data gathered in accordance with Article 22.

Amendment 116

Proposal for a regulation

Article 14 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. In case of the deterioration in the

2. In case of the deterioration in the

quality of the services referred to in paragraph 1, provided by the competent authorities, the Commission ***may take any*** of the following measures having regard to the seriousness and persistence of the deterioration:

quality of the services referred to in paragraph 1, provided by the competent authorities, the Commission ***shall take one or more*** of the following measures having regard to the seriousness and persistence of the deterioration:

Amendment 117

Proposal for a regulation

Article 14 – paragraph 2 – point d

Text proposed by the Commission

(d) temporarily disconnect the information, procedure, assistance or problem solving service from the gateway.

Amendment

(d) ***by means of implementing acts decide to*** temporarily disconnect the information, procedure, assistance or problem solving service from the gateway.

Amendment 118

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 6a, 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 national coordinator of the Member State or Member States concerned and, where necessary, with the gateway coordination group. The Commission and the national coordinator or coordinators 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.

Amendment 119

Proposal for a regulation

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Information on the results of the monitoring under paragraph 1 and on the measures taken under paragraphs 2 and 3 shall be regularly made publicly available in the form of summary reports on the Commission website as well as through the gateway itself.

Amendment 120

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall provide a common user interface to ensure the proper functioning of the gateway.

1. The Commission shall provide a common user interface to ensure the proper functioning of the gateway. **The common user interface shall be integrated into the existing portal 'Your Europe'.**

Amendment 121

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

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, **provided** in the repository referred to in Article 16.

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 included** in the repository referred to in Article 16.

Amendment 122

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, procedures and assistance and problem solving services are organised, structured and marked in a way that improves findability through the user interface, ***and in particular through links between existing and complementary websites or webpages, streamlining and grouping them together and through links to Union and national level online services and information.***

Amendment 123

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 detailed organisation, structure and marking of each of the information, procedures and assistance or problem solving services to enable ***the*** 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 124

Proposal for a regulation Article 15 a (new)

Text proposed by the Commission

Amendment

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 various electronic
channels;***
- (b) it shall be easy to navigate and use
clear, user-friendly, jargon-free
information;***
- (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 interoperable with a
variety of assistive technologies available
at Union and international level and with
different complementary services.***

Amendment 125

**Proposal for a regulation
Article 16 – paragraph 1**

Text proposed by the Commission

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 between such services and the common user interface of the gateway.

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 links*** between such services and the common user interface of the gateway.

Amendment 126

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. The Commission shall provide the links to the information, procedures and assistance and problem solving services accessible on the webpages managed at Union level, and all their subsequent updates, to the repository of links.

Amendment

2. The Commission shall provide the links to **all** the information, procedures and assistance and problem solving services accessible on the webpages managed at Union level, and all their subsequent updates, to the repository of links.

Amendment 127

Proposal for a regulation

Article 16 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The national coordinators shall provide the links to the information, procedures and assistance and problem solving services accessible on the webpages managed by competent authorities or private or semi-private entities as referred to in Article 6(3), and all their subsequent updates, to the repository of links.

Amendment

The national coordinators shall provide the links to **all** the information, procedures and assistance and problem solving services accessible on the webpages managed by competent authorities or private or semi-private entities as referred to in Article 6(3), and all their subsequent updates, to the repository of links.

Amendment 128

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 **is** likely to confuse users.

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 overlaps** that **are** likely to confuse users.

Amendment 129

Proposal for a regulation
Article 16 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission and the national coordinators shall ensure that defective, broken and missing links, webpages and websites are corrected or replaced by accurate, up-to-date links, webpages and websites, as soon as they have been notified.

Amendment 130

Proposal for a regulation
Article 16 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. The Commission and the Member States may provide links to information not listed not listed in Annex I, a procedure not listed in Annex II or an assistance or problem solving service not listed in Annex III, if the information, procedure or assistance or problem solving service meets the quality requirements laid down in this Regulation.

Amendment 131

Proposal for a regulation
Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Commission shall be responsible for the development, availability, maintenance, security and hosting of the following IT applications and webpages:

1. The Commission shall be responsible for the development, availability, **regular monitoring, regular updating**, maintenance, security and hosting of the following IT applications and webpages:

Amendment 132

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Proposal for a regulation
Article 18 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) the summary quality reports referred to in Article 14(3a) and Article 22(5a).

Amendment 133

Proposal for a regulation
Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. **Competent authorities** shall be responsible for the development, availability, maintenance and security of IT applications related to webpages they are managing and which are linked to the common user interface.

2. **The Member States** shall be responsible for the development, availability, **regular monitoring and updating**, maintenance and security of IT applications related to **their national websites and** webpages **that** they are managing and which are linked to the common user interface.

Amendment 134

Proposal for a regulation
Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission and the Member States shall make publicly available information relating to the version and date of the last update to the IT applications for which they are responsible.

Amendment 135

Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

Amendment

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**.

1. The name **by which the gateway is to be known and promoted to the general public shall be the English designation 'Your Europe', which is the same name as the existing portal**. 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 ... [six months after the date of entry into force 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.**

Amendment 136

Proposal for a regulation Article 19 – paragraph 2

Text proposed by the Commission

2. The name of the gateway also serves as a quality label which may only be used in that sense by information websites and assistance and problem solving services included in the repository referred to in Article 16 **as proof of adherence** to the quality requirements referred to in Chapter III.

Amendment

2. The name of the gateway also serves as a quality label which may only be used in that sense by information websites and assistance and problem solving services included in the repository referred to in Article 16 **if they comply with** the quality requirements referred to in Chapter III.

Amendment 137

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

Amendment

1. The **Member States**, the Commission **and the European Parliament** 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 **and the information made**

accessible to the public.

available through *it*.

Amendment 138

Proposal for a regulation

Article 20 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The Member States shall ensure that the logo and the link to the single digital gateway can be found easily within the national webpages and websites and that this logo and link are available within the internal search engines of the national webpages and websites.

Amendment 139

Proposal for a regulation

Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. The ***competent authorities*** 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.

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.

Amendment 140

Proposal for a regulation

Article 20 – paragraph 3

Text proposed by the Commission

Amendment

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.

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 ***through search facilities accessible to the public and*** in all relevant websites ***and***

Amendment 141

Proposal for a regulation Article 21 – paragraph 1

Text proposed by the Commission

1. The competent authorities and the Commission shall ensure that statistics are collected in relation to users' visits on the gateway and the webpages to which the gateway links in order to improve the functionality of the gateway.

Amendment

1. The competent authorities and the Commission shall ensure that statistics are collected in relation to users' visits on the gateway and the webpages ***and websites*** to which the gateway links in ***a standardised, aggregated and anonymous format, and shall be made available to the public as open data,*** in order to improve the functionality of the gateway.

Amendment 142

Proposal for a regulation Article 21 – paragraph 2

Text proposed by the Commission

2. The competent authorities and the Commission shall record and exchange, in an aggregated way, the numbers, the origin and the subject matter of requests for assistance and problem solving services and their response times.

Amendment

2. The competent authorities and the Commission shall record and exchange, in an aggregated way, the numbers, the origin and the subject matter of requests for assistance and problem solving services and their response times, ***and shall make that information available to the public as open data.***

Amendment 143

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

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 **paragraph 2**, in relation to the information, procedures and assistance and problem solving services to which the gateway links.

accordance with **paragraphs 1 and 2**, in relation to the information, procedures and assistance and problem solving services to which the gateway links **and concerning the standardised format for data collection in accordance with paragraph 1**.

Amendment 144

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 **and the information made available therein**, the Commission shall provide users through the gateway with a user-friendly tool **combined with an opportunity to reply in free-text** 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 **the information made available therein and** of the common user interface.

Amendment 145

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

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

Amendment 146

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.

Amendment 147

Proposal for a regulation Article 22 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. The Commission shall provide through the gateway summarised information on the quality of information and services accessible through the gateway following Article 14, and based on the user statistics referred to in Article 21(1) and (2) and the user feedback referred to in paragraph (1) of this Article.

Amendment 148

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

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Text proposed by the Commission

(a) provide users of the gateway with a user-friendly tool to signal anonymously obstacles encountered by them in exercising their internal market rights;

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; ***that user-friendly tool shall also include a free-text box where users can describe the obstacle encountered;***

Amendment 149

**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.

Amendment 150

**Proposal for a regulation
Article 24 – paragraph 1 – point d a (new)**

Text proposed by the Commission

Amendment

(da) supervise and monitor the technical system referred to in Article 12.

Amendment 151

**Proposal for a regulation
Article 25 – paragraph 1**

Text proposed by the Commission

Amendment

A coordination group (“the gateway coordination group”) shall be established. It shall be composed of the national coordinators and shall be chaired by a

A coordination group (“the gateway coordination group”) shall be established. It shall be composed of the national coordinators ***and a representative of the***

representative of the Commission. It shall adopt its rules of procedure. The Commission shall provide the secretariat.

European Parliament and shall be chaired by a representative of the Commission. It shall adopt its rules of procedure. The Commission shall provide the secretariat.

Amendment 152

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:

Amendment 153

Proposal for a regulation

Article 26 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(a a) promote the uptake of fully online procedures and online means of authentication, identification and signatures, in particular as provided for in Regulation (EU) No 910/2014;

Amendment 154

Proposal for a regulation

Article 26 – paragraph 1 – point b

Text proposed by the Commission

(b) discuss improvements to the presentation of information within the areas listed in Annex I;

Amendment

(b) discuss improvements to the **user-centric** presentation of information within the areas listed in Annex I, **in particular on the basis of statistics collected in accordance with Article 21;**

Amendment 155

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(c a) discuss cases of a serious and continuous deterioration in the quality of services provided by the Member States and, if no remedial action has been taken, provide opinions or recommendations to improve the compliance of Member States with this Regulation;

Amendment 156

Proposal for a regulation

Article 26 – paragraph 1 – point e

Text proposed by the Commission

Amendment

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

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

Amendment 157

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ha) provide opinions on procedures or organisational measures to facilitate the application of the principles of security by design and privacy by design;

Amendment 158

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(h b) 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);

Amendment 159

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(h c) 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;

Amendment 160

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(i a) take note of the summary reports referred to in Article 14(3a);

Amendment 161

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(l a) work towards a merger of existing Union information and problem solving portals.

Amendment 162

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(l b) provide guidelines on the additional official language or languages of the Union to be used by national authorities in addition to the official or national language or languages 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 language or languages most broadly understood by citizens and businesses in cross-border activities.

Amendment 163

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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

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

Justification

Better reflecting the internal logic of the text

Amendment 164

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

(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 system for the cross-border exchange of evidence referred to in Article 12;

Amendment 165

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, *explanations* and instructions *as set out in Article 7, Article 8(1), and Article 9 and Article 11(1)(a)*, into an official language of the Union, other than the national *or official language or , or where applicable national or official languages. Where Member States do not pay from their own budget the costs of the translations into an official Union language broadly understood by the largest possible number of users, they may request translations from the Commission in that language. These translations shall primarily cover the basic information in all areas listed in Annex I and, where sufficient budget is available, any further information, explanations and instructions as referred to in Article 7, Article 8(1), and Article 9 and Article 11(1)(a). The Member States shall provide the links to the translated information to the repository for links.*

Amendment 166

Proposal for a regulation

Article 36 – paragraph 1 – point 8 a (new)

Regulation (EU) No 1024/2012

Annex – point 12 a (new)

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

‘12a. 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)...’

Amendment 167

Proposal for a regulation Article 37 – paragraph 2

Text proposed by the Commission

Amendment

Article 2, **Articles 4 to 11**, Article 12(1) to (6) and (8), Article 13, Article 14, Article 15(1) to (3), Article 16, Article 17, Article 21(1) and (2), Article 22(1) to (4) and Article 23 shall apply from [two years after entry into force of this Regulation].

Article 2, Article 4, Article 6, Article 7, Article 9, Article 12(7), Article 13, Article 14, Article 15(1) to (3), Article 16, Article 17, Article 21(1) and (2), Article 22(1) to (4) and Article 23 shall apply from [18 months after entry into force of this Regulation]. Article 5, Article 8, Article 10, Article 11, Article 12(1) to (6) and (8) shall apply from [two years after entry into force of this Regulation]

Amendment 168

Proposal for a regulation Annex I – Areas of information related to citizens – table

Text proposed by the Commission

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)

	<ul style="list-style-type: none"> • 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 • 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

	<ul style="list-style-type: none"> • 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
<i>Consumers in cross-border situations</i>	<ul style="list-style-type: none"> • buying goods <i>and</i> 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

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 • <i>mandatory liability and insurance rules in another Member State</i> • terms of employment (including working hours, paid leave, holiday entitlements, rights and obligations regarding overtime work, health checks, termination of contracts, dismissal and redundancies) • <i>terms of employment and social rights of posted workers</i> • 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, <i>including toll and emission stickers for temporary or permanent stays in another Member State</i>
Residence in another Member State	<ul style="list-style-type: none"> • moving temporarily or permanently to another Member State • <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> • 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>requirements for naturalisation for residents living in another Member State</i> • <i>obligations in case of death and repatriation of remains</i>
Education or traineeship in another Member State	<ul style="list-style-type: none"> • attending <i>day nursery, kindergarten and</i> school in another Member State • attending university in another Member State • <i>attending an adult education center in another Member State</i> • <i>recognition of vocational education and training</i> • 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

	<ul style="list-style-type: none"> • <i>health insurance coverage in another Member State, including the possibility to order the European Health Insurance Card</i> • <i>public preventive healthcare programs</i> • <i>emergency numbers</i> • <i>moving to a retirement home</i>
Cross-border family rights, obligations and rules	<ul style="list-style-type: none"> • birth, custody for minor children, parental responsibilities, <i>surrogacy and adoption, including second-parent-adoption</i>, maintenance obligations in relation to children in a cross-border family situation • living in a couple with different nationalities <i>without discrimination on the basis of sexual orientation</i> (marriage, <i>civil or registered partnership</i>, separation, divorce, marital property rights, the rights of cohabitants) • rights <i>and obligations</i> in relation to succession in another Member State, <i>including tax rules</i> • <i>legal consequences of, and rights in relation to, international parental child abduction</i>
<i>Consumers' rights</i>	<ul style="list-style-type: none"> • buying <i>or renting</i> goods, <i>digital content, properties or</i> 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, <i>waste disposal</i>, telecom and internet • payments, including credit transfers, delays in cross-border payments • consumer rights and guarantees related to buying goods and services • <i>consumer redress, compensation and judicial procedure</i> • <i>product safety and security</i>
<i>Citizens' and residents' rights</i>	<ul style="list-style-type: none"> • <i>filing administrative and judicial petitions at national and Union level</i> • <i>gender recognition</i>
<i>Protection of personal data</i>	<ul style="list-style-type: none"> • <i>exercise of rights of data subjects under Regulation (EU) 2016/679 and in particular, those in sections 2 to 4 thereof on information and access to personal data, rectification and erasure, and objection.</i>

Amendment 169

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)• 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)

	<ul style="list-style-type: none"> • 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 • 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	<ul style="list-style-type: none"> • Health and safety obligations in relation to different types

work	of activity, including prevention of risks, information and training
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Amendment

Area	INFORMATION REGARDING RIGHTS, OBLIGATIONS AND RULES
Starting, running and closing a business	<ul style="list-style-type: none"> • registering, <i>changing or closing</i> a business (registration procedures and legal forms for carrying out business) • <i>relocating a business to another Member State</i> • intellectual property rights (applying for a patent, registering a trademark, a drawing or a design, getting a license for reproduction, <i>applicable exceptions</i>) • 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 • <i>liability of management</i>
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 • <i>customs duty and other taxes and duties collected on imports, import customs procedures, export customs procedures</i> • 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 • 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
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Amendment 170

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 diploma	Decision on the request for 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 <i>or proof of registration of birth</i>
<i>Residence</i>	<i>Requesting a residence certificate or requesting and renewing a residence card</i>	<i>Proof of registration and residence or issue or renewal of a residence card</i>
Studying	Applying for a study grant from a public <i>body or institution</i>	Decision regarding the application for a grant
	<i>Enrolling in a public higher education institution</i>	<i>Decision on enrolment</i>
	<i>Requesting a certificate of diploma and a certificate of qualifications from a public body or institution</i>	<i>Copy of diploma or certificate of qualification</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
	<i>Declaring income taxes</i>	<i>Confirmation of receipt of declaration</i>
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
	<i>Obtaining highway toll stickers or emission stickers</i>	<i>Receipt of toll or emission</i>

	<i>issued by a public body or institution</i>	<i>stickers</i>
Retiring	Claiming pension and pre-retirement benefits from public or semi-public schemes	Decision regarding the claim for a pension or pre-retirement benefits
	<i>Requesting information on the balance of pension account from public or semi-public schemes</i>	<i>Statement of pension account balance</i>
Starting a business	<i>Notification of business activity, permissions of business activity, changes of business activity and the termination of a business activity without insolvency or liquidation procedures, excluding procedures concerning the constitution of companies or firms within the meaning of the second paragraph of Article 54 TFEU and the registration of a business activity with the business register.</i>	Confirmation of the <i>registration of changes of business activity</i>
	<i>VAT registration</i>	<i>VAT registration number</i>
	<i>Registration for income tax</i>	<i>Tax registration number</i>
	Registration of an employer (a natural person) with public or semi-public pension and insurance schemes	Social security registration number (<i>or other confirmation of the registration</i>)
	Registration of employees with public or semi-public pension and insurance schemes	Social security registration number (<i>or other confirmation of the registration</i>)
Doing business	<i>VAT returns</i>	<i>Receipt of the VAT return</i>
	<i>Corporate/Business tax declaration</i>	<i>Confirmation of the receipt of the declaration</i>
	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
	<i>Notification of cessation of activity subject to VAT</i>	<i>Confirmation of the receipt of the notification</i>

Amendment 171

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

Text proposed by the Commission

Amendment

(7a) Data protection supervisory authorities

Amendment 172

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

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.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Establishing a single digital gateway to provide information, procedures, assistance and problem solving services			
References	COM(2017)0256 – C8-0141/2017 – 2017/0086(COD)			
Date submitted to Parliament	2.5.2017			
Committee responsible Date announced in plenary	IMCO 12.6.2017			
Committees asked for opinions Date announced in plenary	ITRE 12.6.2017	LIBE 12.6.2017		
Not delivering opinions Date of decision	ITRE 30.5.2017	LIBE 5.2.2018		
Rapporteurs Date appointed	Marlene Mizzi 30.5.2017			
Discussed in committee	11.10.2017	21.11.2017	22.1.2018	21.2.2018
Date adopted	22.2.2018			
Result of final vote	+: –: 0:	33 3 0		
Members present for the final vote	John Stuart Agnew, Pascal Arimont, Carlos Coelho, Anna Maria Corazza Bildt, Daniel Dalton, Nicola Danti, Dennis de Jong, Pascal Durand, Maria Grapini, Robert Jarosław Iwaszkiewicz, Liisa Jaakonsaari, Antonio López-Istúriz White, Morten Løkkegaard, Marlene Mizzi, Nosheena Mobarik, Christel Schaldemose, Andreas Schwab, Olga Sehnalová, Jasenko Selimovic, Igor Šoltes, Catherine Stihler, Róza Gräfin von Thun und Hohenstein, Mylène Troszczynski, Mihai Țurcanu, Marco Zullo			
Substitutes present for the final vote	Lucy Anderson, Birgit Collin-Langen, Edward Czesak, Kaja Kallas, Arndt Kohn, Adam Szejnfeld, Ulrike Trebesius, Lambert van Nistelrooij			
Substitutes under Rule 200(2) present for the final vote	Gabriel Mato, Flavio Zanonato, Jaromír Štětina			
Date tabled	6.3.2018			

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

33	+
ALDE	Kaja Kallas, Morten Løkkegaard, Jasenko Selimovic
ECR	Edward Czesak, Daniel Dalton, Nosheena Mobarik, Ulrike Trebesius
EFDD	Marco Zullo
GUE/NGL	Dennis de Jong
PPE	Pascal Arimont, Carlos Coelho, Birgit Collin-Langen, Anna Maria Corazza Bildt, Antonio López-Istúriz White, Gabriel Mato, Andreas Schwab, Jaromir Stetina, Adam Szejnfeld, Róza Gräfin von Thun und Hoheinstein, Mihai Turcanu, Lambert van Nistelrooij
S&D	Lucy Anderson, Nicola Danti, Maria Grapini, Liisa Jaakonsaari, Arndt Kohn, Marlene Mizzi, Christel Schaldemose, Olga Sehnalová, Catherine Stihler, Flavio Zanonato
Verts/ALE	Pascal Durand, Igor Soltes

3	-
EFDD	John Stuart Agnew, Robert Jaroslaw Iwaszkiewicz
ENF	Mylène Troszczynski

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention