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#### NOTE

From:	Presidency
To:	Delegations
No. prev. doc.:	10391/15
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) - Chapters X and XI

#### Introduction

1. On 15th June 2015, the Council agreed on a General Approach (9565/15) on the proposal for a General Data Protection Regulation, thereby giving the Presidency a negotiating mandate to enter into trilogues with Parliament. The Presidency recalls the objective of reaching a conclusion on this reform by the end of 2015, in accordance with the conclusions of the European Council of 25/26th June 2015.

2. With a view to preparing the next trilogue, the Presidency invites delegations to discuss:
- Chapter X – Delegated and implementing acts
  - Chapter XI - Final provisions
  - Relevant recitals: (129), (130), (131), (132), (133), (134), (135), (136), (137), (138), (139)
3. With a view to finding compromise agreements with the European Parliament, the Presidency proposes compromise suggestions in the 4<sup>th</sup> column of the document in annex. The Presidency proposes to discuss this 4<sup>th</sup> column on the basis of the different questions and suggestions listed below.
4. The Presidency wishes to indicate that recitals, in particular recitals (129), (130) and (131) are to be adapted in accordance with the changes made in the relevant articles in other parts of the Regulation.
5. In order to ensure an efficient discussion process, as well as to maximise its clarity, the Presidency chose to divide the different provisions into two categories.

The first category (points 6 and 7) relates either to provisions on which the co-legislators have a consensual view or to provisions where the Presidency intends to maintain the Council's General Approach. With regard to this category, the Presidency takes the view that no further discussion is needed.

The third category (point 8) relates to provisions on which the Presidency proposes modifications with a view to clarifying the Council's General Approach or compromise suggestions, taking into account the position of the European Parliament. Delegations are invited to share their views on these issues.

## Preparation for trilogue

6. Considering the position of the Parliament and the Council's General Approach, delegations will note that there is a consensus on:

- Article 86(1), (4)
- Article 87(1), (2)
- Article 88 as a whole
- Article 89(1)
- Article 91

*The Presidency takes the view that no additional discussion is necessary on these provisions.*

7. The Presidency suggests to maintain the Council's General Approach as regards:

- Recital (129), (130), (131), (132), (133), (134), (135), (136), (137), (138)
- Article 85b EP
- Article 86(2), (3), (5)
- Article 87(3)
- Article 89(2a) EP
- Article 89a (new) EP
- Article 90 (as modified following the trilogue on Chapter V)

*The Presidency takes the view that no additional discussion is necessary on these articles. However, in case delegations wish to raise any crucial point or to provide further input relating to these articles, they may do so under point 8.*

8. With regard to the following provisions, the Presidency proposes modifications with a view to clarifying the Council's General Approach or compromise suggestions taking into account the position of the European Parliament:

### Recital (139)

- The Presidency considers that recital (139) may be accepted in a spirit of compromise, as it recalls the articulation of the right to the protection of personal data with other rights enshrined in the EU Charter of Fundamental Rights.

#### Article 89 - Relationship to and amendment of Directive 2002/58/EC

- As regards Article 89(2), the European Parliament further develops the Commission's proposal that not only Article 1(2) of the ePrivacy Directive, but also Article 4 on security of processing and data breaches and Article 15 on the application of certain provisions of Directive 95/46 shall be deleted. The reference to Article 1(2) in particular clarifies that the ePrivacy Directive is *lex specialis*. The European Parliament also proposes that the ePrivacy Directive be aligned to this Regulation without delay. Without prejudice to the Commission's right to initiative, and considering the necessity for consistent rules across increasingly convergent digital sectors, the Presidency invites delegations to comment on these points.

#### Article 89a – Relationship to previously concluded Agreements

- The European Parliament does not foresee such a grandfather clause with respect to international agreements concluded by Member States. Recalling the principle of primacy of EU law, which requires that international agreements are always in conformity with EU legislation, the Presidency invites delegations to indicate their flexibility with regard to this Article.

9. Finally, the Presidency invites the delegations to raise any other issue related to Chapters X and XI.

<b>COM (2012)0011</b>	<b>EP Position / First Reading</b>	<b>Council General Approach (15/06/2015)</b>	<b>Comments / compromise suggestions</b>
<p>(129) In order to fulfil the objectives of this Regulation, namely to protect the fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data and to ensure the free movement of personal data within the Union, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. In particular, delegated acts should be adopted in respect of lawfulness of processing; specifying the criteria and conditions in relation to the consent of a child; processing of special categories of data; specifying the criteria and conditions for manifestly excessive requests and fees for exercising the rights of the data subject; criteria and requirements for the information to</p>	<p>(129) In order to fulfil the objectives of this Regulation, namely to protect the fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data and to ensure the free movement of personal data within the Union, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. In particular, delegated acts should be adopted in respect of lawfulness of processing; specifying the criteria and conditions in relation to the consent of a child; processing of special categories of data; specifying the criteria and conditions for manifestly excessive requests and fees for exercising the rights of the data subject; criteria and requirements for the information to</p>	<p>(129) In order to fulfil the objectives of this Regulation, namely to protect the fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data and to ensure the free movement of personal data within the Union, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. In particular, delegated acts should be adopted in respect of criteria and requirements for certification mechanisms; It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.</p>	<p>(129) In order to fulfil the objectives of this Regulation, namely to protect the fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data and to ensure the free movement of personal data within the Union, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. In particular, delegated acts should be adopted in respect of criteria and requirements for certification mechanisms. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a</p>

the data subject and in relation to the right of access; the right to be forgotten and to erasure; measures based on profiling; criteria and requirements in relation to the responsibility of the controller and to data protection by design and by default; a processor; criteria and requirements for the documentation and the security of processing; criteria and requirements for establishing a personal data breach and for its notification to the supervisory authority, and on the circumstances where a personal data breach is likely to adversely affect the data subject; the criteria and conditions for processing operations requiring a data protection impact assessment; the criteria and requirements for determining a high degree of specific risks which require prior consultation; designation and tasks of the data protection officer; codes of conduct; criteria and	the data subject and in relation to the right of access conditions of icon-based mode for provision of information; the right to be forgotten and to erasure; measures based on profiling; criteria and requirements in relation to the responsibility of the controller and to data protection by design and by default; a processor; criteria and requirements for the documentation and the security of processing; criteria and requirements for establishing a personal data breach and for its notification to the supervisory authority, and on the circumstances where a personal data breach is likely to adversely affect the data subject; the criteria and conditions for processing operations requiring a data protection impact assessment; the criteria and requirements for determining a high degree of specific risks which require prior		simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.
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<p>requirements for certification mechanisms; criteria and requirements for transfers by way of binding corporate rules; transfer derogations; administrative sanctions; processing for health purposes; processing in the employment context and processing for historical, statistical and scientific research purposes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.</p>	<p>consultation; designation and tasks of the data protection officer; declaring that codes of conduct are in line with this Regulation; criteria and requirements for certification mechanisms; the adequate level of protection afforded by a third country or an international organisation; criteria and requirements for transfers by way of binding corporate rules; transfer derogations; administrative sanctions; processing for health purposes; and processing in the employment context and processing for historical, statistical and scientific research purposes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, in particular with the European Data Protection Board. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p>		
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<p>(130) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for: specifying standard forms in relation to the processing of personal data of a child; standard procedures and forms for exercising the rights of data subjects; standard forms for the information to the data subject; standard forms and procedures in relation to the right of access; the right to data portability; standard forms in relation to the responsibility of the controller to data protection by design and by default and to the documentation; specific requirements for the security of processing; the standard format and the procedures for the notification of a personal data breach to the supervisory authority and the communication of a personal data breach to the data subject; standards and procedures for a data protection impact assessment; forms and procedures for prior authorisation and prior consultation; technical standards</p>	<p>(130) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for: specifying standard forms for specific methods to obtain verifiable consent in relation to the processing of personal data of a child; standard procedures and forms for exercising the rights of the communication to the data subjects on the exercise of their rights; standard forms for the information to the data subject; standard forms and procedures in relation to the right of access including for communicating the personal data to the data subject; the right to data portability; standard forms in relation to the responsibility of the controller to data protection by design and by default and to the documentation to be kept by the controller and the processor; specific requirements for the security of processing; the standard format and the procedures form for the notification of a personal data breach to the</p>	<p>(130) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for: standard contractual clauses between controllers and processors and between processors, codes of conduct; technical standards and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; adopt standard data protection clauses; formats and procedures for the exchange of information between controllers, processors and supervisory authorities for binding corporate rules; mutual assistance; the arrangements for the exchange of information by electronic means between supervisory authorities, and between supervisory authorities and the European Data Protection Board. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general</p>	<p>(130) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for: standard contractual clauses between controllers and processors and between processors, codes of conduct; technical standards and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; adopt standard data protection clauses; formats and procedures for the exchange of information between controllers, processors and supervisory authorities for binding corporate rules; mutual assistance; the arrangements for the exchange of information by electronic means between supervisory authorities, and between supervisory authorities and the European Data Protection Board. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of</p>
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and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; disclosures not authorized by Union law; mutual assistance; joint operations; decisions under the consistency mechanism. Those powers should be exercised in accordance with 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 the Member States of the Commission's exercise of implementing powers <sup>45</sup> . In this context, the Commission should consider specific measures for micro, small and medium-sized enterprises.	supervisory authority and the communication of a personal data breach to the data subject for documenting a personal data breach; standards and procedures for a data protection impact assessment; forms and procedures for prior authorisation and prior consultation; technical standards and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; disclosures not authorized by Union law; mutual assistance; joint operations; decisions under the consistency mechanism and information to the supervisory authority. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the	principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers <sup>1</sup> . In this context, the Commission should consider specific measures for micro, small and medium-sized enterprises.	the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers <sup>2</sup> . In this context, the Commission should consider specific measures for micro, small and medium-sized enterprises.
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<sup>1</sup> ***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.***

<sup>2</sup> ***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.***

	<p>Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers In this context, the Commission should consider specific measures for micro, small and medium-sized enterprises.</p> <p>1 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 the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>		
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<p>(131)The examination procedure should be used for the adoption of specifying standard forms in relation to the consent of a child; standard procedures and forms for exercising the rights of data subjects; standard forms for the information to the data subject; standard forms and procedures in relation to the right of access; the right to data portability; standard forms in relation to the responsibility of the controller to data protection by design and by default and to the documentation; specific requirements for the security of processing; the standard format and the procedures for the notification of a personal data breach to the supervisory authority and the communication of a personal data breach to the data subject; standards and procedures for a data protection impact assessment; forms and procedures for prior authorisation and prior consultation; technical standards and mechanisms for certification;</p>	<p>(131) The examination procedure should be used for the adoption of specifying standard forms in relation to the: for specific methods to obtain verifiable consent in relation to the processing of personal data of a child; standard procedures and forms for exercising the the communication to the data subjects on the exercise of their rights of data subjects; standard forms for the information to the data subject; standard forms and procedures in relation to the right of access including for communicating the personal data to the data subject; the right to data portability; standard forms in relation to the responsibility of documentation to be kept by the controller to data protection by design and by default and to the documentation and the processor; specific requirements for the security of processing; the standard format and the procedures for the notification of a personal data</p>	<p>(131) The examination procedure should be used for the adoption of implementing acts on standard contractual clauses between controllers and processors and between processors; codes of conduct; technical standards and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; adopt standard protection clauses; formats and procedures for the exchange of information by electronic means between controllers, processors and supervisory authorities for binding corporate rules; mutual assistance; the arrangements for the exchange of information by electronic means between supervisory authorities, and between supervisory authorities and the European Data Protection Board given that those acts are of general scope.</p>	<p>(131) The examination procedure should be used for the adoption of implementing acts on standard contractual clauses between controllers and processors and between processors; codes of conduct; technical standards and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; adopt standard protection clauses; formats and procedures for the exchange of information by electronic means between controllers, processors and supervisory authorities for binding corporate rules; mutual assistance; the arrangements for the exchange of information by electronic means between supervisory authorities, and between supervisory authorities and the European Data Protection Board given that those acts are of general scope.</p>
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the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; disclosures not authorized by Union law; mutual assistance; joint operations; decisions under the consistency mechanism, given that those acts are of general scope.	breach to the supervisory authority and the communication of for documenting a personal data breach to the data subject; standards and procedures for a data protection impact assessment; forms and procedures for prior authorisation and prior consultation; technical standards and mechanisms for certification; the adequate level of protection afforded by a third country or a territory or a processing sector within that third country or an international organisation; disclosures not authorized by Union law; mutual assistance; joint operations; decisions under the consistency mechanism, and information to the supervisory authority, given that those acts are of general scope.		
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(132) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to a third country or a territory or a processing sector within that third country or an international organisation which does not ensure an adequate level of protection and relating to matters communicated by supervisory authorities under the consistency mechanism, imperative grounds of urgency so require.	deleted	(132) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to a third country or a territory or a processing sector within that third country or an international organisation which does not ensure an adequate level of protection and relating to matters communicated by supervisory authorities under the consistency mechanism, imperative grounds of urgency so require.	(132) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to a third country or a territory or a processing sector within that third country or an international organisation which does not ensure an adequate level of protection and relating to matters communicated by supervisory authorities under the consistency mechanism, imperative grounds of urgency so require.
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<p>(133) Since the objectives of this Regulation, namely to ensure an equivalent level of protection of individuals and the free flow of data throughout the Union, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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 that objective.</p>	<p>(133) Since the objectives of this Regulation, namely to ensure an equivalent level of protection of individuals and the free flow of data throughout the Union, cannot be sufficiently achieved by the Member States <del>and</del> <b>but</b> can <del>therefore</del> <b>rather</b>, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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 that objective.</p>	<p>(133) Since the objectives of this Regulation, namely to ensure an equivalent level of protection of individuals and the free flow of data throughout the Union, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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 that objective.</p>	<p>(133) Since the objectives of this Regulation, namely to ensure an equivalent level of protection of individuals and the free flow of data throughout the Union, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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 that objective.</p>
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	<b><i>Amendment 95</i></b>		
(134) Directive 95/46/EC should be repealed by this Regulation. However, Commission decisions adopted and authorisations by supervisory authorities based on Directive 95/46/EC should remain in force.	(134) Directive 95/46/EC should be repealed by this Regulation. However, Commission decisions adopted and authorisations by supervisory authorities based on Directive 95/46/EC should remain in force. <b><i>Commission decisions and authorisations by supervisory authorities relating to transfers of personal data to third countries pursuant to Article 41(8) should remain in force for a transition period of five years after the entry into force of this Regulation unless amended, replaced or repealed by the Commission before the end of this period.</i></b>	(134) Directive 95/46/EC should be repealed by this Regulation. <b><i>Processing already under way on the date of the entry into force of this Regulation should be brought into conformity with this Regulation within the period of two years after which this Regulation enters into force.</i></b> However, <del>Commission decisions adopted and authorisations by supervisory authorities based on</del> <b><i>where such processing is in compliance with Directive 95/46/EC, the requirements of this Regulation concerning the carrying out of data protection impact assessments and the prior consultation of the supervisory authority should not apply to the processing operations already under way prior to the entry into force of this Regulation, given that these requirements, by their very nature, are to be met prior to the processing. Where such processing is in compliance with Directive 95/46/EC, it is also not necessary for the data subject to give his or her consent again so as to allow the controller to continue such processing after the data of application of this Regulation.</i></b>	(134) Directive 95/46/EC should be repealed by this Regulation. Processing already under way on the date of the entry into force of this Regulation should be brought into conformity with this Regulation within the period of two years after which this Regulation enters into force. However, where such processing is in compliance with Directive 95/46/EC, the requirements of this Regulation concerning the carrying out of data protection impact assessments and the prior consultation of the supervisory authority should not apply to the processing operations already under way prior to the entry into force of this Regulation, given that these requirements, by their very nature, are to be met prior to the processing. Where such processing is in compliance with Directive 95/46/EC, it is also not necessary for the data subject to give his or her consent again so as to allow the controller to continue such processing after the data of application of this Regulation. Commission

		<b><i>Commission decisions adopted and authorisations by supervisory authorities based on Directive 95/46/EC remain in force until amended, replaced or repealed should remain in force.</i></b>	decisions adopted and authorisations by supervisory authorities based on Directive 95/46/EC remain in force until amended, replaced or repealed.
(135) This Regulation should apply to all matters concerning the protection of fundamental rights and freedom vis-à-vis the processing of personal data, which are not subject to specific obligations with the same objective set out in Directive 2002/58/EC, including the obligations on the controller and the rights of individuals. In order to clarify the relationship between this Regulation and Directive 2002/58/EC, the latter Directive should be amended accordingly.	(135) This Regulation should apply to all matters concerning the protection of fundamental rights and freedom vis-à-vis the processing of personal data, which are not subject to specific obligations with the same objective set out in Directive 2002/58/EC <b><i>of the European Parliament and of the Council<sup>1</sup></i></b> , including the obligations on the controller and the rights of individuals. In order to clarify the relationship between this Regulation and Directive 2002/58/EC, the latter Directive should be amended accordingly.  <sup>1</sup> <b><i>Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.07.2002, P.37)</i></b>	(135) This Regulation should apply to all matters concerning the protection of fundamental rights and freedom vis-à-vis the processing of personal data, which are not subject to specific obligations with the same objective set out in Directive 2002/58/EC, including the obligations on the controller and the rights of individuals. In order to clarify the relationship between this Regulation and Directive 2002/58/EC, the latter Directive should be amended accordingly. <b><i>Once this Regulation is adopted, Directive 2002/58/EC should be reviewed in particular in order to ensure consistency with this Regulation.</i></b>	(135) This Regulation should apply to all matters concerning the protection of fundamental rights and freedom vis-à-vis the processing of personal data, which are not subject to specific obligations with the same objective set out in Directive 2002/58/EC, including the obligations on the controller and the rights of individuals. In order to clarify the relationship between this Regulation and Directive 2002/58/EC, the latter Directive should be amended accordingly. Once this Regulation is adopted, Directive 2002/58/EC should be reviewed in particular in order to ensure consistency with this Regulation.



<p>(136) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> to the extent that it applies to the processing of personal data by authorities involved in the implementation of that <i>acquis</i>, as provided for by the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen <i>acquis</i><sup>46</sup>.</p> <p><sup>46</sup> OJ L 176, 10.7.1999, p. 36.</p>	<p>(136) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> to the extent that it applies to the processing of personal data by authorities involved in the implementation of that <i>acquis</i>, <b><i>within the meaning of</i></b> <del>as provided for by</del> the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the <b><i>latters'</i></b> <del>association of those two</del> States with the implementation, application and development of the Schengen <i>acquis</i><sup>1</sup>.</p> <p><sup>1</sup> OJ L 176, 10.7.1999, p. 36.</p>	<p><i>deleted</i></p>	<p><i>deleted</i></p>
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<p>(137) As regards Switzerland, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> to the extent that it applies to the processing of personal data by authorities involved in the implementation of that <i>acquis</i>, as provided for by the Agreement between the European Union, the European Community and the Swiss Confederation concerning the association of the Swiss Confederation with the implementation, application and development of the Schengen <i>acquis</i><sup>47</sup>.</p> <p><sup>47</sup> OJ L 53, 27.2.2008, p. 52</p>	<p>(137) As regards Switzerland, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> to the extent that it applies to the processing of personal data by authorities involved in the implementation of that <i>acquis</i>, <b><i>within the meaning of</i></b> <del>as provided for by</del> the Agreement between the European Union, the European Community and the Swiss Confederation <del>concerning</del> <b><i>on the association of</i></b> the Swiss Confederation's <b><i>association</i></b> with the implementation, application and development of the Schengen <i>acquis</i><sup>1</sup>.</p> <p><sup>1</sup> OJ L 53, 27.2.2008, p. 52</p>	<p><i>deleted</i></p>	<p><i>deleted</i></p>
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<p>(138) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> to the extent that it applies to the processing of personal data by authorities involved in the implementation of that <i>acquis</i>, as provided for by the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i><sup>48</sup>.</p> <p><sup>48</sup> OJ L 160 of 18.6.2011, p. 19</p>	<p>(138) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> to the extent that it applies to the processing of personal data by authorities involved in the implementation of that <i>acquis</i>, <b><i>within the meaning of</i></b> <del>as provided for by</del> the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i><sup>1</sup>.</p> <p><sup>1</sup> OJ L 160 of 18.6.2011, p. 19</p>	<p><i>deleted</i></p>	<p><i>deleted</i></p>
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<p>(139) In view of the fact that, as underlined by the Court of Justice of the European Union, the right to the protection of personal data is not an absolute right, but must be considered in relation to its function in society and be balanced with other fundamental rights, in accordance with the principle of proportionality, this Regulation respects all fundamental rights and observes the principles recognised in the Charter of Fundamental Rights of the European Union as enshrined in the Treaties, notably the right to respect for private and family life, home and communications, the right to the protection of personal data, the freedom of thought, conscience and religion, the freedom of expression and information, the freedom to conduct a business, the right to an effective remedy and to a fair trial as well as cultural, religious and linguistic diversity.</p>	<p>(139) In view of the fact that, as underlined by the Court of Justice of the European Union, the right to the protection of personal data is not an absolute right, but must be considered in relation to its function in society and be balanced with other fundamental rights, in accordance with the principle of proportionality, this Regulation respects all fundamental rights and observes the principles recognised in the Charter of Fundamental Rights of the European Union as enshrined in the Treaties, notably the right to respect for private and family life, home and communications, the right to the protection of personal data, the freedom of thought, conscience and religion, the freedom of expression and information, the freedom to conduct a business, the right to an effective remedy and to a fair trial as well as cultural, religious and linguistic diversity.</p>	<p><i>deleted</i></p>	<p>(139) In view of the fact that, as underlined by the Court of Justice of the European Union, the right to the protection of personal data is not an absolute right, but must be considered in relation to its function in society and be balanced with other fundamental rights, in accordance with the principle of proportionality, this Regulation respects all fundamental rights and observes the principles recognised in the Charter as enshrined in the Treaties, notably the right to respect for private and family life, home and communications, the right to the protection of personal data, the freedom of thought, conscience and religion, the freedom of expression and information, the freedom to conduct a business, the right to an effective remedy and to a fair trial as well as cultural, religious and linguistic diversity.</p>
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CHAPTER X DELEGATED ACTS AND IMPLEMENTING ACTS	CHAPTER X DELEGATED ACTS AND IMPLEMENTING ACTS	CHAPTER X DELEGATED ACTS AND IMPLEMENTING ACTS		
	<i>Article 85b (new)</i>			
	<i>Standard Forms</i>			
	<i>1. The Commission may, taking into account the specific features and necessities of various sectors and data processing situations, lay down standard forms for:</i>			
	<i>(a) specific methods to obtain verifiable consent referred to in Article 8(1),</i>			
	<i>(b) the communication referred to in Article 12(2), including the electronic format,</i>			
	<i>(c) providing the information referred to in paragraphs 1 to 3 of Article 14,</i>			
	<i>(d) requesting and granting access to the information referred to in Article 15(1), including for communicating the personal data to the data subject,</i>			
	<i>(e) documentation referred to in paragraph 1 of Article 28,</i>			

	<i>(f) breach notifications pursuant to Article 31 to the supervisory authority and the documentation referred to in Article 31(4),</i>		
	<i>(g) prior consultations referred to in Article 34, and for informing the supervisory authorities pursuant to Article 34(6).</i>		
	<i>2. In doing so, the Commission shall take the appropriate measures for micro, small and medium-sized enterprises.</i>		
	<i>3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 87(2).</i>		

<i>Article 86</i>	<i>Article 86</i>	<i>Article 86</i>	<i>Article 86</i>
<i>Exercise of the delegation</i>	<i>Exercise of the delegation</i>	<i>Exercise of the delegation</i>	<i>Exercise of the delegation</i>
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
	<b><i>Amendment 200</i></b>		
2. The delegation of power referred to in Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2), Article 39(2), Article 43(3), Article 44(7), Article 79(6), Article 81(3), Article 82(3) and Article 83(3) shall be conferred on the	2. The <del>delegation of power</del> <b>power to adopt delegated acts</b> referred to in <del>Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2), Article 38(4), Article 39(2), Article 41(3), Article 41(5), Article 43(3), Article 44(7), Article</del>	2. The delegation of power referred to in <del>Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2), Article 39a(27), Article 43(3), Article 44(7), Article 79(6), Article 81(3), Article 82(3) and Article 83(3)</del> shall be conferred on the	2. The delegation of power referred to in Article 39a(7) shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Regulation.

Commission for an indeterminate period of time from the date of entry into force of this Regulation.	<del>79(6)</del> <b>Article 79(7)</b> , Article 81(3); <i>and</i> Article 82(3) <del>and Article 83(3)</del> shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Regulation.	Commission for an indeterminate period of time from the date of entry into force of this Regulation.	
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	<i>Amendment 201</i>		
<p>3. The delegation of power referred to in Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2), Article 39(2), Article 43(3), Article 44(7), Article 79(6), Article 81(3), Article 82(3) and Article 83(3) may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date</p>	<p>3. The delegation of power referred to in <del>Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3),</del> <b>Article 13a(5)</b>, Article 17(9), <del>Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2),</del> <b>Article 38(4)</b>, Article 39(2), <b>Article 41(3), Article 41(5)</b>, Article 43(3), <del>Article 44(7), Article 79(6)</del> <b>Article 79(7)</b>, Article 81(3), <b>and</b> Article 82(3) <del>and Article 83(3)</del> may be revoked at any time by the European Parliament or by the Council. A decision of <del>revocation</del> <b>to revoke</b> shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the</p>	<p>3. The delegation of power referred to in <del>Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2), Article 39a(27), Article 43(3), Article 44(7), Article 79(6), Article 81(3), Article 82(3) and Article 83(3)</del> may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later</p>	<p>3. The delegation of power referred to in Article 39a(7) may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>

specified therein. It shall not affect the validity of any delegated acts already in force.	decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	date specified therein. It shall not affect the validity of any delegated acts already in force.	
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

	<i>Amendment 202</i>		
5. A delegated act adopted pursuant to Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2), Article 39(2), Article 43(3), Article 44(7), Article 79(6), Article 81(3), Article 82(3) and Article 83(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the	5. A delegated act adopted pursuant to <del>Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3),</del> <b>Article 13a(5)</b> , Article 17(9), <del>Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2),</del> <b>Article 38(4)</b> , Article 39(2), <b>Article 41(3), Article 41(5)</b> , Article 43(3), <del>Article 44(7), Article 79(6),</del> <b>Article 79(7)</b> , Article 81(3), <b>and</b> Article 82(3) <b>and</b> <del>Article 83(3)</del> shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of	5. A delegated act adopted pursuant to <del>Article 6(5), Article 8(3), Article 9(3), Article 12(5), Article 14(7), Article 15(3), Article 17(9), Article 20(6), Article 22(4), Article 23(3), Article 26(5), Article 28(5), Article 30(3), Article 31(5), Article 32(5), Article 33(6), Article 34(8), Article 35(11), Article 37(2),</del> Article 39a(27), <del>Article 43(3), Article 44(7), Article 79(6), Article 81(3), Article 82(3) and Article 83(3)</del> shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the	5. A delegated act adopted pursuant to Article 39a(7) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

<p>Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.</p>	<p><del>two</del><i>six</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <del>two</del> <i>six</i> months at the initiative of the European Parliament or <i>of</i> the Council.</p>	<p>Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.</p>	
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<i>Article 87</i>	<i>Article 87</i>	<i>Article 87</i>	<del><i>Article 87</i></del>
<i>Committee procedure</i>	<i>Committee procedure</i>	<i>Committee procedure</i>	<del><i>Committee procedure</i></del>
1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	<del>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</del>
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	<del>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</del>
	<i>Amendment 203</i>		
3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	<i>deleted</i>	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

CHAPTER XI FINAL PROVISIONS	CHAPTER XI FINAL PROVISIONS	CHAPTER XI FINAL PROVISIONS	CHAPTER XI FINAL PROVISIONS
<i>Article 88</i>	<i>Article 88</i>	<i>Article 88</i>	<i>Article 88</i>
<i>Repeal of Directive 95/46/EC</i>	<i>Repeal of Directive 95/46/EC</i>	<i>Repeal of Directive 95/46/EC</i>	<i>Repeal of Directive 95/46/EC</i>
1. Directive 95/46/EC is repealed.	1. Directive 95/46/EC is repealed.	1. Directive 95/46/EC is repealed.	1. Directive 95/46/EC is repealed.
2. References to the repealed Directive shall be construed as references to this Regulation. References to the Working Party on the Protection of Individuals with regard to the Processing of Personal Data established by Article 29 of Directive 95/46/EC shall be construed as references to the European Data Protection Board established by this Regulation.	2. References to the repealed Directive shall be construed as references to this Regulation. References to the Working Party on the Protection of Individuals with regard to the Processing of Personal Data established by Article 29 of Directive 95/46/EC shall be construed as references to the European Data Protection Board established by this Regulation.	2. References to the repealed Directive shall be construed as references to this Regulation. References to the Working Party on the Protection of Individuals with regard to the Processing of Personal Data established by Article 29 of Directive 95/46/EC shall be construed as references to the European Data Protection Board established by this Regulation.	2. References to the repealed Directive shall be construed as references to this Regulation. References to the Working Party on the Protection of Individuals with regard to the Processing of Personal Data established by Article 29 of Directive 95/46/EC shall be construed as references to the European Data Protection Board established by this Regulation.

<i>Article 89</i>	<i>Article 89</i>	<i>Article 89</i>	<i>Article 89</i>
<i>Relationship to and amendment of Directive 2002/58/EC</i>	<i>Relationship to and amendment of Directive 2002/58/EC</i>	<i>Relationship to and amendment of Directive 2002/58/EC</i>	<i>Relationship to and amendment of Directive 2002/58/EC</i>
1. This Regulation shall not impose additional obligations on natural or legal persons in relation to the processing of personal data in connection with the provision of publicly available electronic communications services in public communication networks in the Union in relation to matters for which they are subject to specific obligations with the same objective set out in Directive 2002/58/EC.	1. This Regulation shall not impose additional obligations on natural or legal persons in relation to the processing of personal data in connection with the provision of publicly available electronic communications services in public communication networks in the Union in relation to matters for which they are subject to specific obligations with the same objective set out in Directive 2002/58/EC.	1. This Regulation shall not impose additional obligations on natural or legal persons in relation to the processing of personal data in connection with the provision of publicly available electronic communications services in public communication networks in the Union in relation to matters for which they are subject to specific obligations with the same objective set out in Directive 2002/58/EC.	1. This Regulation shall not impose additional obligations on natural or legal persons in relation to the processing of personal data in connection with the provision of publicly available electronic communications services in public communication networks in the Union in relation to matters for which they are subject to specific obligations with the same objective set out in Directive 2002/58/EC.
	<i>Amendment 204</i>		
2. Article 1(2) of Directive 2002/58/EC shall be deleted.	2. <del>Article</del> <b>Articles 1(2), 4 and 15</b> of Directive 2002/58/EC shall be deleted.	<i>deleted</i>	

	<i>Amendment 205</i>		
	<p><i>2a. The Commission shall present, without delay and by the date referred to in Article 91(2) at the latest, a proposal for the revision of the legal framework for the processing of personal data and the protection of privacy in electronic communications, in order to align the law with this Regulation and ensure consistent and uniform legal provisions on the fundamental right to protection of personal data in the European Union.</i></p>		



	<i>Amendment 206</i>		
	<i>Article 89a (new)</i>		
	<i>Relationship to and amendment of Regulation (EC) No 45/2001</i>		
	<i>1. The rules set out in this Regulation shall apply to the processing of personal data by Union institutions, bodies, offices and agencies in relation to matters for which they are not subject to additional rules set out in Regulation (EC) No 45/2001.</i>		
	<i>2. The Commission shall present, without delay and by the date specified in Article 91(2) at the latest, a proposal for the revision of the legal framework applicable to the processing of personal data by the Union institutions, bodies, offices and agencies.</i>		

		<i>Article 89a</i>	<i>Article 89a</i>
		<i>Relationship to previously concluded Agreements</i>	<i>Relationship to previously concluded Agreements</i>
		<i>International agreements involving the transfer of personal data to third countries or international organisations which were concluded by Member States prior to the entry into force of this Regulation, and which are in compliance with Directive 95/46/EC, shall remain in force until amended, replaced or revoked.</i>	International agreements involving the transfer of personal data to third countries or international organisations which were concluded by Member States prior to the entry into force of this Regulation, and which are in compliance with Directive 95/46/EC, shall remain in force until amended, replaced or revoked.

<i>Article 90</i>	<i>Article 90</i>	<i>Article 90</i>	<i>Article 90</i>
<i>Evaluation</i>	<i>Evaluation</i>	<i>Evaluation</i>	<i>Evaluation</i>
<p>The Commission shall submit reports on the evaluation and review of this Regulation to the European Parliament and the Council at regular intervals. The first report shall be submitted no later than four years after the entry into force of this Regulation. Subsequent reports shall be submitted every four years thereafter. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other legal instruments, in particular taking account of developments in information technology and in the light of the state of progress in the information society. The reports shall be made public.</p>	<p>The Commission shall submit reports on the evaluation and review of this Regulation to the European Parliament and the Council at regular intervals. The first report shall be submitted no later than four years after the entry into force of this Regulation. Subsequent reports shall be submitted every four years thereafter. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other legal instruments, in particular taking account of developments in information technology and in the light of the state of progress in the information society. The reports shall be made public.</p>	<p><b>1.</b> The Commission shall submit reports on the evaluation and review of this Regulation to the European Parliament and the Council at regular intervals.</p> <p><b>2. In the context of these evaluations the Commission shall examine, in particular, the application and functioning of the provisions of Chapter VII on Co-operation and Consistency.</b></p> <p><b>3.</b> The first report shall be submitted no later than four years after the entry into force of this Regulation. Subsequent reports shall be submitted every four years thereafter. The reports shall be made public.</p> <p><b>4.</b> The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other legal instruments, in particular taking account of developments in information technology and in the light of the state of progress in the</p>	<p><i>Tentatively agreed on CHAP V</i></p> <p>1. The Commission shall submit reports on the evaluation and review of this Regulation to the European Parliament and the Council at regular intervals.</p> <p>2. In the context of these evaluations the Commission shall examine, in particular, the application and functioning of the provisions of:</p> <p>a) Chapter V on the transfer of personal data to third countries or international organisations with particular regard to decisions adopted pursuant to article 41, paragraph 3 and decisions adopted on the basis of Article 25, paragraph 6 of Directive 95/46/EC;</p> <p>b) Chapter VII on Co-operation and Consistency.</p> <p>2a. For the purpose referred to in paragraphs 1 and 2, the Commission may request</p>

		<p>information society. The reports shall be made public.</p>	<p>information from Member States and supervisory authorities.</p> <p>2b. In carrying out the evaluations and reviews referred to in paragraphs 1 and 2, the Commission shall take into account the positions and findings of the European Parliament, the Council as well as other relevant bodies or sources.</p> <p>3. The first report shall be submitted no later than four years after the entry into force of this Regulation. Subsequent reports shall be submitted every four years thereafter. The reports shall be made public.</p> <p>4. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other legal instruments, in particular taking into account of developments in information technology and in the light of the state of progress in the information society.</p>
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<i>Article 91</i>	<i>Article 91</i>	<i>Article 91</i>	<i>Article 91</i>
<i>Entry into force and application</i>	<i>Entry into force and application</i>	<i>Entry into force and application</i>	<i>Entry into force and application</i>
1. This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	1. This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	1. This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	1. This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .
2. It shall apply from [two years from the date referred to in paragraph 1].	2. It shall apply from [ <del>two years from the date referred to in paragraph 1</del> ]...*.  * <i>OJ: insert the date: two years from the date of entry into force of this Regulation</i>	2. It shall apply from [two years from the date referred to in paragraph 1].	2. It shall apply from [two years from the date referred to in paragraph 1].
This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
	<i>Done at ...,</i>	<i>Done at Brussels</i>	
	<i>For the European Parliament</i>  <i>The President</i>	<i>For the European Parliament</i>  <i>The President</i>	
	<i>For the Council</i>  <i>The President</i>	<i>For the Council</i>  <i>The President</i>	