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NOTE

From:	Presidency
To:	Delegations
No. Cion doc.:	12259/16 TELECOM 170 FC 53 CODEC 1275
Subject:	Proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) No 1316/2013 and (EU) No 283/2014 as regards the promotion of Internet connectivity in local communities - Analysis of EP position

1. Following the vote by the European Parliament ITRE Committee on 25 April 2017, delegations will find in Annex the four-column document concerning the above proposal. The second column is based on the preliminary version of the final ITRE Report (before a full legal and linguistic revision).
2. Given the intention to start and conclude negotiations with the European Parliament quickly, the Presidency has prepared draft text of compromise proposals in the fourth column. This is based on our understanding of the views expressed by delegations in previous discussions. As such the text proposed in this column is a draft only and subject to a validation of the Member States. These proposals, as amended following the examination by the Working Party on 3 May, will be included in the report to Coreper to be issued shortly after the Working Party in view of the meeting on 10 May where Coreper will be invited to agree on a mandate for the negotiations with the European Parliament at the first trilogue, to be held on 29 May.

3. The Presidency has identified the following **main divergences** between the EP position and the Council's partial General Approach:
- i) The European Parliament's notion of **free** which covers not only the notion of free of charge, which seems compatible with the recital 5 of the Council's partial General Approach, but also the notion of **free of restrictions** which is **in contradiction with the Council's recital 9**. This issue is present in **Article 1 §2.4.b (c), Article 2 §2.4(1)(c), & §4 (8a), in the Section 4 of the Annex, and in Recitals 2, 2a, 3, and 4;**
 - ii) The importance given by the European Parliament to the **digital divide**, which is apparent in the **Recitals 3, 6a, 9, 9a, 11;**
 - iii) The examples of entities in **Recital 4** which might not be compatible with the definition of **Public Sector Bodies**, and might confuse the entities that could benefit from the funding with the locations where the access points could be installed;
 - iv) **Recital 7a** from the European Parliament which **defines 5G as the main priority for the DSM** without a proper legal basis to do so;
 - v) **Recital 9b** of the European Parliament which calls for **giving priority to local SMEs** in the context of the procurement and installation **but may lack a legal basis** to do so;
 - vi) **Recital 10** which calls for the Member States and the Commission to **raise awareness** about the Programme;
 - vii) **Recital 11a** and the amendment to Article 2(6) (**Section 4 of the Annex**) which puts a **minimum duration (3 years) on the provision of the service;**
 - viii) In **Article 2** (amendments to Regulation (EU No 283/2014), the European Parliament proposes to include in the amendment to Article 2(2) point (h) a **reference to high bandwidth** and to **infrared or visible light;**

- ix) In Article 2, the European Parliament proposes to change the notion of local wireless connectivity to "**high-quality** local wireless connectivity". This appears in amendments to Article 4(1) (point c) and to Article 6 (paragraph 8a);
 - x) In Article 2(6) (**additional Section 4 to the Annex**), the European Parliament proposes that the actions shall, to the extent possible, **avoid language barriers**;
 - xi) It also proposes to make a reference to the **possibility to install on a non-publicly owned property**;
 - xii) The Council's choice to explicitly mention the **minimum speed of 30 Mbps** for the broadband connectivity in **paragraph 2 of the Annex**;
 - xiii) In **paragraph 3a of the Annex** the European Parliament proposes to include a reference to **technological neutrality** and **best technological offers**;
 - xiv) The Council's amendment in **paragraph 4 of the Annex** to **avoid distortion of competition**, which is absent from the European Parliament's position;
4. In addition, the European Parliament has made some amendments (**Recitals 5c and 11b, end of Recital 9, as well as paragraph 2 point a of the Annex (Article 2(6))**) which are **unclear**.
5. Finally, following comments by the lawyer linguists, a number of changes, **which do not modify the substance but would speed up the final lawyer-linguist revision, and thus the adoption process**, have been made throughout the text:
- i) Adding amendments to Regulation 1316/2013 to those articles where Regulation on guidelines was not yet mentioned by its number to avoid long references to "*a Regulation on guidelines for trans-European networks in the area of telecommunications*", in **Art 2(1), 4(4) 14(1) and 17(5)**;

- ii) Avoiding the word "intervention" or "initiative", either by referring to the Regulation or the description of the exact measure;
 - iii) Amending the first paragraph of the Annex to make it sound like a condition which is the aim of the Annex (setting conditions for the actions to be eligible);
 - iv) Replacing the word '*Projects*' by '*Actions*' in particular in amendments to **Articles 5(5a) and 6(8a)** to improve consistency;
 - v) Making linguistic changes to improve the clarity of the text.
6. At the meeting of the Working Party on Telecommunication and Information Society on 3 May, delegations will be invited to indicate their opinions on the ITRE amendments contained in the second column and on the Presidency proposals in the fourth column.

N.B. The fourth column contains Presidency compromise proposals with regard to the ITRE amendments: bold italics underlined text indicates text added on the basis of ITRE amendments, underlined bold text indicates compromise text proposed by the Presidency either in response to ITRE amendments or to follow recommendations by Lawyer-linguists. Accepted and rejected amendments are indicated.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulations (EU) 1316/2013 and (EU) No 283/2014 as regards the promotion of Internet connectivity in local communities

COMMISSION PROPOSAL (2016/0287 (COD) - doc.12259/16)	EP POSITION	COUNCIL PARTIAL GENERAL APPROACH (doc.14442/1/16 REV1)	PRESIDENCY PROPOSALS
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
<p>Having regard to the Treaty on the Functioning of the European Union, and in particular Article172 thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>After transmission of the draft legislative act to the national parliaments,</p>		<p>Having regard to the Treaty on the Functioning of the European Union, and in particular Article172 thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>After transmission of the draft legislative act to the national parliaments,</p>	

Having regard to the opinion of the European Economic and Social Committee ¹ ,		Having regard to the opinion of the European Economic and Social Committee ^{Error! Bookmark not defined.} ,	
Having regard to the opinion of the Committee of the Regions ² , Acting in accordance with the ordinary legislative procedure, Whereas:		Having regard to the opinion of the Committee of the Regions ² , Acting in accordance with the ordinary legislative procedure, Whereas:	

¹ OJ C,, p...

² OJ C,,p...

<p>(1) The Commission Communication setting out a European vision of Internet connectivity for citizens and business in the Digital Single Market³ describes a number of possible measures capable of enhancing connectivity in the European Union.</p>	<p>(1) The Commission Communication <i>of 14 September 2016 entitled "Connectivity for a Competitive Digital Single Market – Towards a European Gigabit Society"</i>, setting out a European vision of Internet connectivity for citizens, public institutions and business in the Digital Single Market, describes a number of possible measures capable of enhancing connectivity in the European Union.</p>	<p>(1) The Commission Communication setting out a European vision of Internet connectivity for citizens and business in the Digital Single Market³ describes a number of possible measures capable of enhancing connectivity in the European Union.</p>	<p><i>Accept in part.</i></p> <p>(1) The Commission's Communication of 14 September 2016 entitled "Connectivity for a Competitive Digital Single Market - Towards a European Gigabit society", setting out a European vision of Internet connectivity for citizens, and business in the Digital Single Market describes a number of possible measures capable of enhancing connectivity in the European Union.</p>
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³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Connectivity for a Competitive Digital Single Market - Towards a European Gigabit society (COM(2016)587).

	<p><i>(1a) In its Communication of 26 August 2010 entitled “A Digital Agenda for Europe”, the Commission recalls that the Europe 2020 Strategy underlined the importance of broadband deployment to promote social inclusion and competitiveness in the EU, reaffirming the goal of ensuring that, by 2020, (i) all Europeans have access to much higher Internet speeds of above 30 Mbps and (ii) 50% or more of European households subscribe to Internet connections above 100 Mbps.</i></p>		<p><i>Accept</i></p> <p><i>(1a) In its Communication of 26 August 2010 entitled “A Digital Agenda for Europe”, the Commission recalls that the Europe 2020 Strategy underlined the importance of broadband deployment to promote social inclusion and competitiveness in the EU, reaffirming the goal of ensuring that, by 2020, (i) all Europeans have access to much higher Internet speeds of above 30 Mbps and (ii) 50% or more of European households subscribe to Internet connections above 100 Mbps.</i></p>
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<p>(2) Amongst measures to support the vision of European connectivity, it promotes the deployment of local wireless access points through simplified planning procedures and reduced regulatory obstacles. Such access points, including those ancillary to the provision of other public services or non-commercial in character, can make an important contribution to the improvement of current and the deployment of future generations of wireless communications networks by facilitating more granular coverage in line with evolving needs.</p>	<p>(2) Amongst measures to support the vision of European connectivity, it promotes the deployment of local wireless access points through simplified planning procedures and reduced regulatory obstacles. Such access points, including those ancillary to the provision of other public services or non-commercial in character, can make an important contribution to the improvement of current wireless communications networks but should, in particular, contribute to the deployment of future generations of such networks by facilitating more granular coverage in line with evolving needs. Those access points should be able to form part of a network with a single authentication system that is valid across the whole Union, and other free local wireless connectivity networks should be able to join the system. The system should be in line with Regulation (EU) 2016/679 of the European Parliament and of the Council^{1a} and Regulation (EU) 2015/2120 of the European Parliament and of the Council^{1b},</p>	<p>(2) Amongst measures to support the vision of European connectivity, it promotes the deployment of local wireless access points through simplified planning procedures and reduced regulatory obstacles. Such access points including those ancillary to the provision of other public services or non-commercial in character, can make an important contribution to the improvement of current and the deployment of future generations of wireless communications networks by facilitating more granular coverage in line with evolving needs. These access points may develop into a network with an authentication system valid in the whole European territory.</p>	<p><i>Accept, in part.</i></p> <p>(2) Amongst measures to support the vision of <u>European</u> connectivity across Europe, # the Commission promotes in that Communication the deployment of local wireless access points through simplified planning procedures and reduced regulatory obstacles. Such access points including those ancillary to the provision of other public services or non-commercial in character, can make an important contribution to the improvement of current wireless communications networks and to the deployment of future generations of wireless communications such networks by facilitating more granular coverage in line with evolving needs. <u>Those access points should be able to form part of a network with a single authentication system that is valid across the whole Union, and other free local wireless connectivity networks should be able to join the system. The system should be in line with Regulation (EU) 2016/679 of the European Parliament and of the Council^{1a} and Regulation (EU)</u></p>
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	<i>and the use of data for commercial advertisement or other commercial uses should not be permitted.</i>		<i><u>2015/2120 of the European Parliament and of the Council</u>^{1b}</i>
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- ^{1a} ***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) (Text with EEA relevance) (OJ L, 4.5.2016, p. 1).***
- ^{1b} ***Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (Text with EEA relevance) (OJ L 310, 26.11.2015, p. 1).***

	<p><i>(2a) In the context of this Regulation, local wireless connectivity free of charge and free from restrictions means it is provided without corresponding remuneration, whether by direct payment or other types of consideration, including, but not limited to, commercial advertising and the provision of personal data for commercial purposes, and, without prejudice to restrictions required under Union law or under national law in compliance with Union law, as well as the need to ensure a smooth functioning of the network and in particular the need to ensure a fair allocation of capacity between users at peak-times, free from restrictions where there is no limitation in the period of time a user can be connected or restrictions in the user speed or volume.</i></p>		<p><i>Reject</i></p>
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	<p><i>(2 b) A competitive market and a future-proof legislative framework, which incentivises innovation, Trans-European networks and structures and new business models are the main driver for investments in very high capacity networks that can deliver connectivity to citizens throughout the Union.</i></p>		<p><i>Accept with change</i></p> <p><i>(2 b) A competitive market and a future-proof legislative framework, which incentivises <u>competition, investments, and wide-spread availability and take-up of very high capacity connectivity</u>, Trans-European networks and new business models are <u>important</u> drivers for investments in very high capacity networks that can deliver connectivity to citizens throughout the Union.</i></p>
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<p>(3) Following the Communication setting out a European vision of Internet connectivity for the Digital Single Market and in order to promote digital inclusion, the Union should support the provision of free local wireless connectivity in the centres of local public life, including outdoor spaces accessible to the general public, through targeted support. Such support is so far not covered by Regulations (EU) No 1316/2013⁵ and (EU) No 283/2014⁶.</p>	<p>(3) Following the <i>Commission Communication of 14 September 2016</i> and in order to promote digital inclusion and prevent remote locations and rural areas from lagging behind, the Union should support the provision of high-quality local wireless connectivity free of charge and free from restrictions in the centres of local public life, including outdoor spaces accessible to the general public, through targeted support. Such support is so far not covered by Regulations (EU) No 1316/2013 <i>or</i> (EU) No 283/2014.</p>	<p>(3) Following the Communication setting out a European vision of Internet connectivity for the Digital Single Market and in order to promote digital inclusion, the Union should support the provision of free local wireless connectivity in the centres of local public life, including outdoor spaces accessible to the general public, through targeted support in accordance with the principles of subsidiarity and proportionality, as set out in the Treaty on European Union. Such support is so far not covered by Regulations (EU) No 1316/2013^{Error! Bookmark not defined.} and (EU) No 283/2014^{Error! Bookmark not defined.}.</p>	<p><i>Accept in part + LL Change</i></p> <p>(3) Following the that Communication setting out a European vision of Internet connectivity for the Digital Single Market and in order to promote digital inclusion, the Union should support the provision of high-quality free local wireless connectivity in the centres of local public life, including outdoor spaces accessible to the general public, through targeted support in accordance with the principles of subsidiarity and proportionality, as set out in the Treaty on European Union. Such support is so far not covered by Regulations (EU) No 1316/2013 of the European Parliament and of the Council⁵ and Regulation (EU) No 283/2014 of the European Parliament and of the Council⁶.</p>
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⁵ Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010, OJ L 348, 20.12.2013, p. 129, as last amended by Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015, OJ L 169, 1.7.2015, p. 1.

⁶ Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC, OJ L 86, 21.3.2014, p. 14.

<p>(4) Support of this kind should encourage entities with a public mission such as public authorities and providers of public services to offer free local wireless connectivity as an ancillary service to their public mission so as to ensure that local communities can experience the benefits of very high-speed broadband in the centres of public life. Such entities could include municipalities and other local public authorities, libraries and hospitals.</p>	<p>(4) Support of this kind should encourage entities with a public mission such as public <i>sector bodies</i> and providers of public services to offer local wireless connectivity free of charge and free from restrictions as an ancillary service to their public mission so as to ensure that <i>people in the</i> local communities can <i>improve their digital skills and</i> experience the benefits of very high-speed broadband in the centres of public life. Such entities could include municipalities, <i>grouping of municipalities, companies with a public service mission owned by municipalities, not-for-profit co-operatives, community centres</i> and other local public authorities <i>and institutions</i>.</p>	<p>(4) Support of this kind should encourage entities with a public mission such as public authorities and providers of public services public sector bodies to offer free local wireless connectivity as an ancillary service to their public mission so as to ensure that local communities can experience the benefits of very high-speed broadband in the centres of public life. Such entities bodies could include municipalities and other local public authorities, libraries and hospitals.</p>	<p><i>Accept in part with addition + LL Change</i></p> <p>(4) Such Support of this kind should encourage entities with a public mission such as public authorities and providers of public services public sector bodies to offer free local wireless connectivity as an ancillary service to their public mission so as to ensure that <i>people in the</i> local communities can <i>improve their digital skills and</i> experience the benefits of very high-speed broadband in the centres of public life. Such entities bodies could include municipalities, <i>grouping of municipalities, companies with a public service mission owned by municipalities,</i> and other local public authorities, <i>institutions</i>, libraries and hospitals.</p>
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	<i>(4a) Free local wireless connectivity should contribute amongst other to higher territorial and social cohesion, especially in places with limited access to internet.</i>		<i>Accept with change</i> <i><u>(4a) Free local wireless connectivity could contribute amongst other to higher territorial and social cohesion, especially in places with limited access to internet.</u></i>
(5) Local wireless connectivity should only qualify as free where it is provided without corresponding remuneration, whether by direct payment or other types of consideration, including, but not limited to, advertising and the provision of personal data.		(5) In the context of this Regulation, Local wireless connectivity should only qualify as free, where it is provided without corresponding remuneration, whether by direct payment or other types of consideration, including, but not limited to, commercial advertising and the provision of personal data for commercial purposes.	

	<i>(5a) Improving access to fast and ultra-fast broadband and ICT services, especially in remote areas, could increase the quality of peoples' life by facilitating access to services (e.g. e-Health and e-Government) and promote the development of local SMEs. The authorities should therefore ensure that nobody is left behind and that the Internet content and online services are accessible to all.</i>		<i>Accept</i> <i><u>(5a) Improving access to fast and ultra-fast broadband and ICT services, especially in remote areas, could increase the quality of peoples' life by facilitating access to services (e.g. e-Health and e-Government) and promote the development of local SMEs. The authorities should therefore ensure that nobody is left behind and that the Internet content and online services are accessible to all.</u></i>
	<i>(5b) To guarantee the success of the initiative and to give prominence to Union action in this area, the Commission must ensure that the entities that are pursuing projects through this initiative provide end users with as much information as possible on the availability of the services and make prominent the fact that the EU has granted financing.</i>		<i>Accept with change</i> <i><u>(5b) To guarantee the success of the initiative and to give prominence to Union action in this area, the Commission should ensure that the entities that are pursuing projects through this initiative provide end users with as much information as possible on the availability of the services and make prominent the fact that the EU has granted financing.</u></i>
	<i>(5 c) Considers that the European Unions values and benefits should be promoted through the disclaimer of the free local wireless connection.</i>		<i>Reject</i>

<p>(6) Considering its specific purpose and targeted nature toward local needs, the intervention should be identified as a distinct project of common interest in the telecommunications sector within the meaning of Regulations (EU) No 1316/2013 and (EU) No 283/2014.</p>		<p>(6) Considering its specific purpose and targeted nature toward local needs, the intervention should be identified as a distinct project of common interest in the telecommunications sector within the meaning of Regulations (EU) No 1316/2013 and (EU) No 283/2014.</p>	<p><i>LL change</i></p> <p>(6) Considering its specific purpose and targeted nature toward local needs, the intervention <u>promotion of free local wireless connectivity in the centres of public life</u> should be identified as a distinct project of common interest in the telecommunications sector within the meaning of Regulations (EU) No 1316/2013 and (EU) No 283/2014.</p>
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	<i>(6a) Rural coverage of the new access networks (NAN) is still significantly lower than urban coverage, and only 28% of rural homes are covered by fixed technology.</i>		<i>Reject</i>
(7) To provide this intervention with appropriate financing, the financial envelope for the implementation of the CEF in the telecommunications sector should be increased by an amount of EUR 50 000 000.		(7) [To provide this intervention with appropriate financing, the financial envelope for the implementation of the CEF in the telecommunications sector should be increased by an amount of EUR 50 000 000].	
	<i>(7 a) Delivering 5G by 2020 should be the main priority for the digital single market, given its decisiveness for the global competitiveness, growth, innovation and research potential of the Union. Union funds need to be used effectively and appropriately in order to deliver on key issues.</i>		<i>Reject</i>

<p>(8) Given the non-commercial nature of this intervention and the small scale of individual projects foreseen, the administrative burden should be limited to a minimum. Therefore, the intervention should be implemented by the most appropriate forms of financial assistance, notably grants, available under the Financial Regulation, now or in future. The intervention should not rely on financial instruments.</p>	<p>(8) Given the non-commercial nature of this intervention and the small scale of individual projects foreseen, the administrative burden should be limited to a minimum <i>and should be proportionate to the benefits envisaged, taking into account the need for accountability and a proper balance between simplification and control.</i> Therefore, the intervention should be implemented by the most appropriate forms of financial assistance, notably grants, <i>for instance through vouchers,</i> available under the Financial Regulation, now or in future. The intervention should not rely on financial instruments. <i>The principle of sound financial management should apply.</i></p>	<p>(8) Given the non-commercial nature of this intervention and the small scale of individual projects foreseen, the administrative burden should be limited to a minimum. Therefore, the intervention should be implemented by the most appropriate forms of financial assistance, notably grants, available under the Financial Regulation, now or in future. The intervention should not rely on financial instruments.</p>	<p><i>Accept + LL Change</i></p> <p>(8) Given the non-commercial nature of this intervention <u>the support to be provided under this Regulation</u> and the small scale of individual projects foreseen, the administrative burden should be limited to a minimum <u>and should be proportionate to the benefits envisaged, taking into account the need for accountability and a proper balance between simplification and control.</u> Therefore, the intervention <u>this Regulation</u> should be implemented by the most appropriate forms of financial assistance, <u>notably in particular</u> grants, <u>for instance by way of vouchers,</u> available under the Financial Regulation, now or in future. The intervention <u>support to be provided under this Regulation</u> should not rely on financial instruments. <u>The principle of sound financial management should apply.</u></p>
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	<p><i>(8a) Given the limited volume of financial appropriations measured against the possibly high number of applications, steps will need to be taken to ensure that administrative procedures are simplified so that decisions can be taken in a timely manner. Regulation (EU) No 1316/2013 (the CEF Regulation) will need to be amended to allow Member States to support categories of proposals in line with the criteria defined in section 4, so as to avoid the individual approval of applications and ensure that certification of expenditure and annual reporting to the Commission are not obligatory for grants awarded under this Regulation.</i></p>	<p>(8a) Given the limited volume of financial assistance awarded to each, but the significant total number of potential applicants, it is important to ensure that administrative procedures are streamlined to enable lean and swift decision-making. The CEF Regulation should therefore be amended in order to enable Member States to endorse categories of proposals under this Regulation in compliance with the criteria set out in Section 4, rather than having to give their agreement on individual applicants, and to provide that certification of the expenditure and annual information of the Commission are not mandatory for grants awarded pursuant to this Regulation.</p>	<p><i>Accept with change</i></p> <p>(8a) Given the limited volume of financial <u>appropriations measured against the possibly high number of applications, steps will need to be taken to ensure that administrative procedures are simplified so that decisions can be taken in a timely manner. Regulation (EU) No 1316/2013 (the CEF Regulation) should be amended to allow Member States to support categories of proposals in line with the criteria defined in section 4, so as to avoid the individual approval of applications and ensure that</u> certification of expenditure and annual reporting to the Commission are not obligatory for grants awarded under this Regulation.</p>
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<p>(9) Due to the limited reach of any single local wireless access point and the small value of individual projects covered, access points benefitting from financial assistance under this Regulation are not expected to challenge commercial offers. In order to further ensure that such financial assistance does not unduly distort competition, crowd out private investments or create disincentives for private operators to invest, the intervention should be limited to projects that do not duplicate already existing private or public offers of similar characteristics in the same area. This should not exclude additional support to deployments under this initiative from public or private sources of funding.</p>	<p>(9) Due to the limited reach of any single local wireless access point and the small value of individual projects covered, access points benefitting from financial assistance under this Regulation are not expected to challenge commercial offers. In order to further ensure that such financial assistance does not unduly distort competition, crowd out private investments or create disincentives for private operators to invest, the intervention should be limited to projects that do not duplicate already existing <i>free</i> private or public offers of similar characteristics in the same area. This should not exclude additional support to deployments under this initiative from public or private sources of funding, <i>as such a blending could contribute to a more significant effect, which should lead to incentives for private investments and leverage of the internet connection to a wider audience. In this regard, it is necessary to ensure synergies with other national or Union funds, including the European Regional Development Fund, in order to achieve maximum impact not only in terms of accessibility for citizens but also of social cohesion and</i></p>	<p>(9) Due to the limited reach of any single local wireless access point and the small value of individual projects covered, access points benefitting from financial assistance under this Regulation are not expected to challenge commercial offers. In order to further ensure that such financial assistance does not unduly distort competition, crowd out private investments or create disincentives for private operators to invest, the intervention should be limited to projects that do not duplicate already existing private or public offers of similar characteristics in the same area. This should not exclude additional support to deployments under this initiative from public or private sources of funding, nor should it prevent the setting of limitations, in the user's terms and conditions, such as providing connectivity for a limited period of time or up to a reasonable data consumption.</p>	<p><i>Accept in part with change</i></p> <p>(9) Due to the limited reach of any single local wireless access point and the small value of individual projects covered, access points benefitting from financial assistance under this Regulation are not expected to challenge commercial offers. In order to further ensure that such financial assistance does not unduly distort competition, crowd out private investments or create disincentives for private operators to invest, the intervention support provided under this Regulation should be limited to projects that do not duplicate already existing private or public offers of similar characteristics in the same area. This should not exclude additional support to deployments under this initiative Regulation from public or private sources of funding, <i><u>as such additional support could contribute to a more significant effect,</u></i> nor should it prevent the setting of limitations, in the user's terms and conditions, such as providing connectivity for a limited period of time or up to a reasonable data consumption.</p>
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	<i>helping to combat the digital divide in less developed regions.</i>		
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	<p><i>(9a) The available budget should be allocated in a geographically balanced manner so that projects can be covered in all the Member States. The allocation should also take into account the need to address the digital divide. These principles, the aim of which is to guarantee geographical balance and an inclusive society, should be included in the relevant work programmes adopted in accordance with the CEF Regulation and this initiative, be specified in the calls for projects and, if necessary, should allow increased participation for applicants from Member States where participation has been relatively low and focused on areas determined by the Member States or the Commission as lagging behind in connectivity or digital literacy.</i></p>	<p>(9a) The available budget should be allocated in a geographically balanced manner across Member States to projects and in principle, on a 'first come, first served' basis.' The mechanism aiming at ensuring geographical balance should be included in the relevant Work Programmes adopted pursuant to Regulation (EU) 1316/2013, and be further specified in Calls for Proposals, if necessary, for instance by enabling enhanced participation by applicants from Member States whose take-up of vouchers has been comparatively low.</p>	<p><i>Reject + LL Change</i></p> <p>(9a) The available budget should be allocated in a geographically balanced manner across Member States to projects and in principle, on a 'first come, first served' basis.' The mechanism aiming at ensuring geographical balance should be included in the relevant Work Programmes adopted pursuant to Regulation (EU) 1316/2013, and be further specified in Calls for Proposals <u>adopted in accordance with that Regulation</u>, if necessary, for instance by enabling enhanced participation by applicants from Member States whose take-up of vouchers has been comparatively low.</p>
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	<p><i>(9 b) Giving local SMEs priority in the context of the procurement and installation of equipment with a view to the provision of WLAN in accordance with this Regulation could safeguard the potential for innovation and creation of quality jobs in municipalities.</i></p>		<p><i>Reject</i></p>
<p>(10) To ensure that connectivity in accordance with this Regulation is provided quickly, financial assistance should be implemented using to the fullest extent possible on-line tools that allow for the swift submission and handling of applications and support the implementation, monitoring and auditing of the local wireless access points installed.</p>	<p>(10) To ensure that connectivity in accordance with this Regulation is provided quickly, financial assistance should be implemented using to the fullest extent possible on-line tools that allow for the swift submission and handling of applications and support the implementation, monitoring and auditing of the local wireless access points installed. <i>It is important that the Commission inform local authorities about the planned action and the relevant conditions as early as possible in order to allow them to make preparations and apply for calls for proposals when they are issued. The Commission and the relevant authorities in the Member States should also do their utmost to create the necessary awareness of the programme.</i></p>	<p>(10) To ensure that connectivity in accordance with this Regulation is provided quickly, financial assistance should be implemented using to the fullest extent possible on-line tools that allow for the swift submission and handling of applications and support the implementation, monitoring and auditing of the local wireless access points installed.</p>	<p><i>Accept in part with change</i></p> <p>(10) To ensure that connectivity in accordance with this Regulation is provided quickly, financial assistance should be implemented using to the fullest extent possible on-line tools that allow for the swift submission and handling of applications and support the implementation, monitoring and auditing of the local wireless access points installed. <i>The Commission and the relevant authorities in the Member States should promote the programme.</i></p>

<p>(11) Given Internet connectivity needs within the Union and the urgency of promoting access networks that can deliver, throughout the EU, an Internet experience of high quality based on very high-speed broadband services, financial assistance should seek to attain a geographically balanced distribution.</p>	<p>(11) Given Internet connectivity needs within the Union and the urgency of promoting access networks that can deliver, throughout the EU, an Internet experience of high quality based on high-speed broadband services, <i>in support of the objectives of the European gigabit society</i>, financial assistance should seek to attain a geographically balanced distribution <i>and reduce the digital divide, promoting access for citizens to the benefits of the information society, supporting also areas with relatively low levels of high-speed broadband connectivity.</i></p>	<p>(11) Given Internet connectivity needs within the Union and the urgency of promoting access networks that can deliver, throughout the EU, an Internet experience of high quality based at least on very high-speed broadband services, while preferably reaching the objectives of the European Gigabit Society, financial assistance should seek to attain a geographically balanced distribution and help address the digital divide.</p>	<p><i>Reject</i></p>
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	<i>(11a) Furthermore, beneficiary entities should be required to provide a free WiFi connection for not less than three years.</i>		<i>Accept with change</i> <i><u>(11a) Furthermore, beneficiary entities should be required to provide the free wireless connection for not less than three years.</u></i>
	<i>(11b) The actions financed should be viable and sustainable in the long term. This should be achieved by providing technical tools to ensure their long-term efficiency by the use of technology that is kept up to date and safe for the users by the beneficiaries and the services providers.</i>		<i>Reject</i>
(12) Regulations (EU) No 1316/2013 and (EU) No 283/2014 should therefore be amended accordingly.		(12) Regulations (EU) No 1316/2013 and (EU) No 283/2014 should therefore be amended accordingly.	(12) Regulations (EU) No 1316/2013 and (EU) No 283/2014 should therefore be amended accordingly ³
HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:	

<i>Article 1</i> Amendments to Regulation (EU) No 1316/2013		<i>Article 1</i> Amendments to Regulation (EU) No 1316/2013	
Regulation (EU) No 1316/2013 is amended as follows:		Regulation (EU) No 1316/2013 is amended as follows:	
			<i>LL Change</i> <u>(0a) Article 2(1) is replaced by the following:</u>
			<i>LL Change</i> <u>'(1) "project of common interest" means a project identified in Regulation (EU) No 1315/2013 or Regulation (EU) No 347/2013 or in Regulation (EU) No 283/2014 of the European Parliament and of the Council⁷,</u>
			<i>LL Change</i> <u>(0b) Article 4(4) is replaced by the following:</u>

⁷ Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC, OJ L 86, 21.3.2014, p. 14.

			<i>LL Change</i> <u>'4. In the telecommunications sector, the CEF shall support actions that pursue the objectives specified in Regulation (EU) No 283/2014.'</u>
1. In the first subparagraph of Article 5(1), point (b) is replaced by the following: '(b) telecommunications sector: EUR 1 091 602 000;'		1. In the first subparagraph of Article 5(1), point (b) is replaced by the following: '(b) telecommunications sector: [EUR 1 091 602 000];'	
2. Article 7 is amended as follows: a) paragraph 1 is replaced by the following:		2. Article 7 is amended as follows: a) paragraph 1 is replaced by the following:	

<p>'1. Only actions contributing to projects of common interest in accordance with Regulations (EU) No 1315/2013, (EU) No 347/2013 and a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure, as well as programme support actions, shall be eligible for support through Union financial assistance, in particular in the form of grants, procurement and financial instruments.'</p>		<p>'1. Only actions contributing to projects of common interest in accordance with Regulations (EU) No 1315/2013, (EU) No 347/2013 and a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure, as well as programme support actions, shall be eligible for support through Union financial assistance, in particular in the form of grants, procurement and financial instruments.'</p>	<p><i>LL change</i></p> <p>'1. Only actions contributing to projects of common interest in accordance with Regulations (EU) No 1315/2013, (EU) No 347/2013 and a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure, <u>Regulation (EU) No 283/2014 of the European Parliament and of the Council</u> as well as programme support actions, shall be eligible for support through Union financial assistance, in particular in the form of grants, procurement and financial instruments.'</p>
<p>b) paragraph 4 is replaced by the following:</p>		<p>b) paragraph 4 is replaced by the following:</p>	
<p>'4. In the telecommunications sector, all actions implementing the projects of common interest and programme support actions identified in a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure and meeting eligibility criteria and/or conditions laid down in accordance with that Regulation shall be eligible to receive Union financial assistance under this Regulation, as follows:</p>		<p>'4. In the telecommunications sector, all actions implementing the projects of common interest and programme support actions identified in a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure and meeting eligibility criteria and/or conditions laid down in accordance with that Regulation shall be eligible to receive Union financial assistance under this Regulation, as follows:</p>	<p><i>LL change</i></p> <p>'4. In the telecommunications sector, all actions implementing the projects of common interest and programme support actions identified in a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure <u>Regulation (EU) No 283/2014</u> and meeting eligibility criteria and/or conditions laid down in accordance with that Regulation shall be eligible to receive Union financial assistance under this Regulation, as follows:</p>

(a) generic services, core service platforms and programme support actions shall be financed through grants and/or procurement;		(a) generic services, core service platforms and programme support actions shall be financed through grants and/or procurement;	
(b) actions in the field of broadband networks shall be financed through financial instruments;		(b) actions in the field of broadband networks shall be financed through financial instruments;	
(c) actions in the field of providing free local wireless connectivity in local communities shall be financed through grants or forms of financial assistance other than financial instruments.'	(c) actions in the field of providing local wireless connectivity free of charge and free from restrictions in local communities shall be financed through grants or forms of financial assistance other than financial instruments.	(c) actions in the field of providing free local wireless connectivity in local communities shall be financed through grants or forms of financial assistance other than financial instruments.'	<i>Reject</i>

<p>3. In Article 9, the following paragraph is added:</p> <p>'1a. Where justified by the need to avoid undue administrative burden, in particular in case of low value grants within the meaning of Article 185 of Regulation (EU) No 1286/2012, Member States' agreement may be given to a certain category of proposals under the work programmes pursuant to Article 17, without indicating individual applicants.'</p>		<p>3. In Article 9, the following paragraph is added:</p> <p>'1a. Where justified by the need to avoid undue administrative burden, in particular in case of low value grants within the meaning of Article 185 of Regulation (EU) No 1286/2012, Member States' agreement may be given to a certain category of proposals under the work programmes pursuant to Article 17, without indicating individual applicants. Such agreement eliminates the need for Member States to provide an agreement to each individual applicant.'</p>	<p><i>LL Change</i></p> <p>3. In Article 9, the following paragraph is added:</p> <p>'1a. Where justified by the need to avoid undue administrative burden, in particular in case of low value grants within the meaning of Article 185 of <u>Commission Delegated Regulation (EU) No 1286/2012 1268/2012, the agreement of the</u> Member States' <u>concerned agreement referred to in paragraph 1 of this Article</u> may be given to a certain category of proposals under the work programmes <u>adopted</u> pursuant to Article 17 <u>of this Regulation</u>, without indicating individual applicants. Such agreement eliminates the need for Member States to provide an agreement to each individual applicant.'</p>
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<p>4. In Article 10(4), the following third subparagraph is added:</p> <p>'Actions in the field of providing free local wireless connectivity in local communities shall be funded by Union financial assistance up to 100 % of the eligible costs, without prejudice to the co-financing principle.'</p>		<p>4. In Article 10(4), the following third subparagraph is added:</p> <p>'Actions in the field of providing free local wireless connectivity in local communities shall be funded by Union financial assistance up to 100 % of the eligible costs, without prejudice to the co-financing principle.'</p>	<p><i>LL Change</i></p> <p>4. In Article 10(4), the following third subparagraph is added:</p> <p>'Actions in the field of providing free local wireless connectivity in local communities shall be funded by Union financial assistance <u>covering</u> up to 100 % of the eligible costs, without prejudice to the co-financing principle.'</p>
	<p><i>4 a. In Article 22, the following paragraph is added:</i></p>	<p>5. In Article 22, the following subparagraph is inserted after the third subparagraph:</p>	<p><i>Accept + LL Change</i></p> <p>5. In Article 22, the following subparagraph is inserted after the third <u>second</u> subparagraph:</p>

	<p><i>'The certification of the expenditure and annual information of the Commission referred to in the second and third paragraph of this Article respectively are not mandatory for grants awarded pursuant to point (c) of Article 4(1) of Regulation (EU) No 283/2014.'</i></p>	<p>'The above-mentioned certification of the expenditure and annual information of the Commission are not mandatory for grants awarded pursuant to Article 4(1), point c), of Regulation 283/2014 on guidelines for trans-European networks in the area of telecommunications infrastructure.'</p>	<p><i>Accept + LL Change</i></p> <p>'The above-mentioned certification of the expenditure and annual information of the Commission are referred to in the second paragraph of this Article is not mandatory for grants awarded pursuant to <u>point (c) of Article 4(1), point e), of Regulation (EU) No 283/2014 on guidelines for trans-European networks in the area of telecommunications infrastructure.</u>'</p> <p><u>6. In Article 22, the following subparagraph is added:</u></p> <p><u>'The requirement to inform the Commission annually referred to in the third sub-paragraph of this Article shall not apply for grants awarded pursuant to point (c) of Article 4(1) of Regulation (EU) No 283/2014'</u></p>
			<p><i>LL Change</i></p> <p><u>(7) Article 14(1) is replaced by the following:</u></p>

			<p><i>LL Change</i></p> <p><u>'1. Financial instruments set up in accordance with Title VIII of Regulation (EU, Euratom) No 966/2012 may be used to facilitate access to finance by entities implementing actions contributing to projects of common interest as defined in Regulations (EU) No 1315/2013 and (EU) No 347/2013 and in a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure Regulation (EU) No 283/2014, and to the achievement of their objectives. The financial instruments shall be based on ex-ante assessments of market imperfections or sub-optimal investment situations and investment needs. The main terms, conditions and procedures for each financial instrument are laid down in Part III of Annex I to this Regulation.'</u></p>
			<p><i>LL Change</i></p> <p><u>(8) Article 17(5) is replaced by the following:</u></p>

			<p><i>LL Change</i></p> <p><u>'5. The Commission, when adopting multiannual and sectoral annual work programmes, shall establish the selection and award criteria in line with the objectives and priorities laid down in Articles 3 and 4 of this Regulation and in Regulations (EU) No 1315/2013 and (EU) No 347/2013 or in a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure Regulation (EU) No 283/2014. When setting the award criteria, the Commission shall take into account the general orientations laid down in Part V of Annex I to this Regulation.'</u></p>
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<p style="text-align: center;"><i>Article 2</i></p> <p style="text-align: center;">Amendments to Regulation (EU) No 283/2014</p>		<p style="text-align: center;"><i>Article 2</i></p> <p style="text-align: center;">Amendments to Regulation (EU) No 283/2014</p>	
<p>Regulation (EU) No 283/2014 is amended as follows:</p>		<p>Regulation (EU) No 283/2014 is amended as follows:</p>	
<p>1. In Article 2(2), the following point (h) is added:</p>		<p>1. In Article 2(2), the following point (h) is added:</p>	<p><i>LL Change</i></p> <p>(12) In Article 2(2), the following point (h) is added:</p>
<p>'(h) 'local wireless access point' means a low power equipment of small size operating within a small range, using on a non-exclusive basis radio spectrum for which the conditions of availability and efficient use for this purpose are harmonised at Union level, and which allows wireless access by users to an electronic communications network.'</p>	<p>(h) 'local wireless access point' means a low power equipment of small size operating within a small range <i>but with high bandwidth</i>, using on a non-exclusive basis radio, <i>infrared or visible light</i> spectrum for which the conditions of availability and efficient use for this purpose are harmonised at Union level, and which allows wireless access by users to an electronic communications network.</p>	<p>'(h) 'local wireless access point' means a low power equipment of small size operating within a small range, using on a non-exclusive basis radio spectrum for which the conditions of availability and efficient use for this purpose are harmonised at Union level, and which allows wireless access by users to an electronic communications network.'</p>	<p><i>Accept</i></p> <p>(h) 'local wireless access point' means a low power equipment of small size operating within a small range <i>but with high bandwidth</i>, using on a non-exclusive basis radio, <i>infrared or visible light</i> spectrum for which the conditions of availability and efficient use for this purpose are harmonised at Union level, and which allows wireless access by users to an electronic communications network.</p>

2 In Article 4(1), the following point (c) is added:	2 In Article 4(1), the following point (c) is added:	2 In Article 4(1), the following point (c) is added:	<i>LL Change</i> 2 In Article 4(1), the following point (c) is added:
'(c) support the provision of free local wireless connectivity in local communities.'	(c) support the provision of high-quality local wireless connectivity free of charge and free from restrictions in local communities.	'(c) support the provision of free local wireless connectivity in local communities.'	<i>Accept in part</i> '(c) support the provision of high-quality free local wireless connectivity in local communities.'
3. Article 5 is hereby amended as follows:		3. Article 5 is hereby amended as follows:	

<p>a) paragraph 7 is replaced by the following:</p>		<p>a) paragraph 7 is replaced by the following:</p>	
<p>'7. The total amount of the budget allocated to financial instruments for broadband networks shall not exceed the minimum necessary to establish cost-efficient interventions which shall be determined on the basis of ex-ante assessments as referred to in Article 14(1) of Regulation (EU) No 1316/2013.</p> <p>That amount shall be up to 15 % of the financial envelope for the telecommunications sector referred to in point (b) of Article 5(1) of Regulation (EU) No 1316/2013.'</p>		<p>'7. The total amount of the budget allocated to financial instruments for broadband networks shall not exceed the minimum necessary to establish cost-efficient interventions which shall be determined on the basis of ex-ante assessments as referred to in Article 14(1) of Regulation (EU) No 1316/2013.</p> <p>That amount shall be up to 15 % of the financial envelope for the telecommunications sector referred to in point (b) of Article 5(1) of Regulation (EU) No 1316/2013.'</p>	

<p>b) the following paragraph is added:</p> <p>–'5a. Action contributing to the projects of common interest in the field of providing free local wireless connectivity in local communities shall be supported by:</p> <p>–(a) grants, and/or</p> <p>–(b) forms of financial assistance other than financial instruments.'</p>		<p>b) the following paragraph is added:</p> <p>5a. Action contributing to the projects of common interest in the field of providing free local wireless connectivity in local communities shall be supported by:</p> <p>(a) grants; and/or</p> <p>(b) forms of financial assistance other than financial instruments.'</p>	<p><i>LL Change</i></p> <p>(b) the following paragraph is added <u>inserted after paragraph 5:</u></p> <p>5a. Actions contributing to the projects of common interest in the field of providing free local wireless connectivity in local communities shall be supported by:</p> <p>(a) grants; and/or</p> <p>(b) <u>other</u> forms of financial assistance other than financial instruments.'</p>
<p>4. In Article 6, the following paragraph 8a is added:</p>	<p>4. In Article 6, the following paragraph 8a is added:</p>	<p>4. In Article 6, the following paragraph 8a is added:</p>	<p><i>LL Change</i></p> <p>(4-) In Article 6, the following paragraph 8a is added <u>inserted after paragraph 8:</u></p>
<p>'8a. Actions contributing to projects of common interest in the field of providing free local wireless connectivity in local communities shall meet conditions set out in Section 4 in the Annex.'</p>	<p>'8a. Actions contributing to projects of common interest in the field of providing <i>high-quality</i>, local wireless connectivity <i>free of charge and free from restrictions</i> in local communities shall meet conditions set out in Section 4 in the Annex.'</p>	<p>'8a. Actions contributing to projects of common interest in the field of providing free local wireless connectivity in local communities shall meet conditions set out in Section 4 in the Annex.'</p>	<p><i>Accept in part + LL Change</i></p> <p>'8a. Actions contributing to projects of common interest in the field of providing <i>high-quality</i> free local wireless connectivity in local communities shall meet conditions set out in Section 4 in <u>of the Annex in order to be eligible for the funding.</u>'</p>

<p>5. In Article 8(9), the following point (d) is added:</p> <p>'(d) the number of connections to local wireless access points established under actions implementing Section 4 of the Annex.'</p>		<p>5. In Article 8(9), the following point (d) is added:</p> <p>'(d) the number of connections to local wireless access points established under actions implementing Section 4 of the Annex.'</p>	<p><i>LL Change</i></p> <p>(5) In Article 8(9), the following point (d) is added:</p> <p>'(d) the number of connections to local wireless access points established under actions implementing Section 4 of the Annex.'</p>
<p>6. In the Annex, the following section shall be inserted:</p> <p>'SECTION 4. WIRELESS CONNECTIVITY IN LOCAL COMMUNITIES</p>	<p>6. In the Annex, the following section shall be inserted:</p> <p>'SECTION 4. WIRELESS CONNECTIVITY IN LOCAL COMMUNITIES</p>	<p>6. In the Annex, the following section shall be inserted:</p> <p>'SECTION 4. WIRELESS CONNECTIVITY IN LOCAL COMMUNITIES</p>	
<p>Actions aiming at the provision of free local wireless connectivity in the centres of local public life, including outdoor spaces accessible to the general public that play a major role in the public life of local communities, shall be eligible for financial assistance.</p>	<p>Actions aiming at the provision of local wireless connectivity free of charge and free from restrictions in the centres of local public life, including outdoor spaces accessible to the general public that play a major role in the public life of local communities, shall be eligible for financial assistance. <i>For purposes of accessibility, those actions shall, to the extent possible, avoid potential language barriers.</i></p>	<p>Actions aiming at the provision of free local wireless connectivity in the centres of local public life, including outdoor spaces accessible to the general public that play a major role in the public life of local communities, shall be eligible for financial assistance.</p>	<p><i>Reject + LL Change</i></p> <p>Actions aiming must aim at the provision of free local wireless connectivity in the centres of local public life, including outdoor spaces accessible to the general public that play a major role in the public life of local communities; shall to be eligible for financial assistance.</p>

<p>Financial assistance shall be available to entities with a public mission such as local authorities and providers of public services undertaking to provide free local wireless connectivity through the installation of local wireless access points.</p>	<p>Financial assistance shall be available to public sector bodies within the meaning of Article 3(1) of Directive (EU) 2016/2102 of the European Parliament and of the Council¹¹ to provide free local wireless connectivity through the installation of local wireless access points.</p>	<p>Financial assistance shall be available to entities with a public mission such as local authorities and providers of public services public sector bodies, as defined by Article 3(1) of the Directive on the accessibility of the websites and mobile applications of public sector bodies, undertaking to provide free local wireless connectivity through the installation of local wireless access points.</p>	<p><i>Accept + LL Change</i></p> <p>Financial assistance shall will be available to entities with a public mission such as local authorities and providers of public services public sector bodies, as defined by Article 3(1) of the Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies, undertaking to provide free local wireless connectivity through the installation of local wireless access points.</p>
	<p><i>Eligible institutions may use financial assistance to establish free local wireless connectivity in locations that are most suitable and accessible for community usage, including on non-publicly owned property.</i></p>		<p><i>Reject</i></p>
<p>Projects for the provision of wireless connectivity through freely accessible local wireless access points may receive funding if they:</p>	<p>Projects for the provision of wireless connectivity through freely accessible local wireless access points may receive funding if they:</p>	<p>Projects for the provision of wireless connectivity through freely accessible local wireless access points may receive funding if they:</p>	<p><i>LL Change</i></p> <p>Projects Actions for the provision of wireless connectivity through freely accessible local wireless access points may will be eligible to receive funding if they:</p>

<p>1) are implemented by an entity with a public mission capable of planning and supervising the installation of indoor or outdoor local wireless access points in public spaces;</p>	<p>1) are implemented by a public sector body capable of planning and supervising the installation, as well as ensuring the financing of operating costs for minimum of three years, of indoor or outdoor local wireless access points in public spaces;</p>	<p>1) are implemented by an entity with a public mission a public sector body capable of planning and supervising the installation, as well as ensuring the financing of operating costs, of indoor or outdoor local wireless access points in public spaces;</p>	<p><i>Accept + LL Change</i></p> <p>1) are implemented by an entity with a public mission a public sector body as referred to in the second paragraph capable of planning and supervising the installation, as well as ensuring the financing of operating costs for a minimum of three years, of indoor or outdoor local wireless access points in public spaces;</p>
<p>2) build on very high-speed broadband connectivity enabling delivery of high quality Internet experience to users that</p>	<p>2) build on high-speed broadband connectivity enabling delivery of high quality Internet experience to users that</p>	<p>2) build on very high-speed broadband connectivity, capable of delivering broadband access services at speeds of at least 30 Mbps, enabling delivery of high quality Internet experience to users that</p>	<p><i>Keep Council text</i></p>
<p>a. is free, easy to access, and uses state-of-the-art equipment, and</p>	<p>a. is free, easy to access, and uses state-of-the-art equipment, taking advantage of optimal technological solutions as well as using the best standards on cyber security, and</p>	<p>a. is free, easy to access, and uses state-of-the-art equipment, and</p>	<p><i>Accept in part with change</i></p> <p>a. is free, easy to access, secured, and uses state-of-the-art equipment, and</p>
<p>b. supports access to innovative digital services, such as those offered via digital service infrastructures;</p>	<p>b. supports access to innovative digital services, such as those offered via digital service infrastructures;</p>	<p>b. supports access to innovative digital services, such as those offered via digital service infrastructures;</p>	<p><i>EP and Council position identical.</i></p>

3) use the common visual identity to be provided by the Commission and link to the associated online tools.	3) use the common visual identity to be provided by the Commission and link to the associated online tools;	3) use the common visual identity to be provided by the Commission and link to the associated online tools.	<i>EP and Council position identical.</i>
	<i>3a) respect the principles of technological neutrality, the efficient use of public funding and the ability to adapt projects to the best technological offers.</i>		<i>Accept with change</i> <i>3a) respect the principles of technological neutrality <u>at the level of the backhaul</u>, the efficient use of public funding and the ability to adapt projects to the best technological offers.</i>
		4) commit to procure the necessary equipment and/or related installation services in accordance with applicable law to ensure that projects do not unduly distort competition.	<i>Keep Council text</i>

<p>Projects duplicating already existing private or public offers of similar characteristics, including quality, in the same area shall not be covered.</p>	<p>Projects duplicating already existing free private or public offers of similar characteristics, including quality, in the same area shall not be covered.</p>	<p>Projects duplicating already existing private or public offers of similar characteristics, including quality, in the same area shall not be covered. Such duplication may be avoided by ensuring that the range of the access points funded under this Regulation is designed so as to cover primarily public spaces and not to overlap with that of existing private or public offers of similar characteristics.</p>	<p><i>Accept EP suggestion in Council text</i></p> <p><u>Projects Actions</u> duplicating already existing free private or public offers of similar characteristics, including quality, in the same area shall not be covered eligible to receive funding. Such duplication may be avoided by ensuring that the range of the access points funded under this Regulation is designed so as to cover primarily public spaces and not to overlap with that of existing private or public offers of similar characteristics.</p>
<p>The available budget shall be allocated in a geographically balanced manner to projects meeting the above conditions in view of the proposals received and, in principle, on a 'first come, first served' basis.'</p>	<p>The available budget shall be allocated in a geographically balanced manner in the Member States to projects meeting the above conditions in view of the proposals received and, in principle, on a 'first come, first served' basis, in keeping with the work programmes contributing to economic, social and territorial cohesion in the Union and promoting digital inclusion.</p>	<p>The available budget shall be allocated in a geographically balanced manner across Member States to projects meeting the above conditions in view of the proposals received and, in principle, on a 'first come, first served' basis.' As long as projects eligible under this Section are presented, the total allocation of funds under this Section shall include all Member States.</p>	<p><i>Reject + LL Change</i></p> <p>The available budget shall be allocated in a geographically balanced manner across Member States to projects actions meeting the above conditions in view of the proposals received and, in principle, on a 'first come, first served' basis.' As long as <u>projects actions</u> eligible under this Section are presented, the total allocation of funds under this Section shall include all Member States.</p>

	<i>Member States may allocate their own resources or resources from the European Structural and Investment Funds to develop complementary services and offers that boost the sustainability of projects.</i>		<i>Accept</i> <i>Member States may allocate their own resources or resources from the European Structural and Investment Funds to develop complementary services and offers that boost the sustainability of projects.</i>
	<i>Projects financed under this section shall be in operation and closely monitored by the Commission for at least three years. The monitoring of the project by the Commission shall continue beyond the operational period to provide an overview of functionality of this project and possible input for future initiatives.</i>		<i>Accept</i> <i>Projects financed under this section shall be in operation and closely monitored by the Commission for at least three years. The monitoring of the project by the Commission shall continue beyond the operational period to provide an overview of functionality of this project and possible input for future initiatives.</i>

<i>Article 3</i> Entry into force		<i>Article 3</i> Entry into force	
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> .		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> .	
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.	
Done at Brussels,		Done at Brussels,	
