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Subject:	Proposal for a Regulation of the European Parliament and of the Council on electronic freight transport information - Revised four-column document

In view of the Intermodal Transport Working Party on 2 September 2019, delegations will find attached the revised version of the four-column document on the above subject.

Changes in the fourth-column compared to the previous version are marked in **bold-underline** or ~~strikethrough~~.

Proposal for a Regulation of the European Parliament and of the Council on electronic freight transport information

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA- PROV(2019)0139	General approach doc. ST 9181/19	Compromise proposal by the Presidency / remarks
1.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
2.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2) and Article 192(1) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 and Article 100(2) and Article 192(1) thereof,	<u>AB</u>
3.	Having regard to the proposal from the European Commission		Having regard to the proposal from the European Commission	
4.	After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,	
5.	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 ¹ ,	
	(¹) OJ C , , p. .		(¹) OJ C , , p. .	
6.	Having regard to the opinion of the Committee of the Regions ² ,		Having regard to the opinion of the Committee of the Regions ² ,	

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	(2) OJ C , , p. .		(2) OJ C , , p. .	
7.	Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	
8.	Whereas:			
9.		Amendment 1 Recital 1		
10.	(1) The efficiency of freight transport and logistics is vital for the competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.	(1) The efficiency of freight transport and logistics is vital for the growth and competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.	(1) The efficiency of freight transport and logistics is vital for the competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.	A
11.		Amendment 2 Recital 1 a (new)		
12.		<i>(1a) The purpose of this Regulation is to reduce the costs of processing transport information between authorities and economic operators, to improve the enforcement</i>		B

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		<i>capabilities of the authorities and to encourage the digitalisation of the freight transport and logistics.</i>		
13.		Amendment 3 Recital 2		
14.	(2) The movement of goods is accompanied by a large amount of information which is still exchanged in paper format, among businesses and between businesses and the public authorities. The use of paper documents represents a significant administrative burden for logistic operators.	(2) The movement of goods is accompanied by a large amount of information which is still exchanged in paper format, among businesses and between businesses and the public authorities. The use of paper documents represents a significant administrative burden and an additional cost for logistic operators and related industries (such as trade and manufacturing), in particular for SMEs, and has a negative impact on the environment.	(2) The movement of goods, including waste , is accompanied by a large amount of information which is still exchanged in paper format, among businesses and between businesses and the public competent authorities. The use of paper documents represents a significant administrative burden for logistic operators.	A

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15.		Amendment 4 Recital 2 a (new)		
16.		<i>(2a) Effective and efficient enforcement of the rules is a prerequisite for fair competition in the internal market. Further digitalisation of enforcement tools is essential in order to free up enforcement capacity, reduce unnecessary administrative burdens on international transport operators and in particular SMEs, better target high-risk transport operators and detect fraudulent practices. This digital, "smart" enforcement necessitates all relevant information to become paperless and be available for competent authorities in electronic form. Therefore, the use of electronic transport documents should in the future become the rule. Furthermore, in order to provide enforcement officials, including those performing roadside checks, with a clear and complete overview of the transport operators being checked, they</i>		B

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		<i>should have direct and real-time access to all relevant information, so as to be able to detect infringements and abnormalities quicker and more efficiently.</i>		
17.		Amendment 5 Recital 3		
18.	(3) The absence of a uniform legal framework at Union level requiring public authorities to accept relevant freight transport information, required by legislation, in electronic form, is considered to be the main reason for the lack of progress towards the simplification and greater efficiency made possible by available electronic means. The lack of acceptance by public authorities of information in electronic form affects not only ease of communication between them and operators but, indirectly, also hampers the development of simplified business-to-business electronic communication across the Union.	(3) The absence of a uniform legal framework at Union level requiring public authorities to accept relevant freight transport information, required by legislation, in electronic form, is considered to be the main reason for the lack of progress towards the simplification and greater efficiency made possible by available electronic means. The lack of acceptance by public authorities of information in electronic form affects not only ease of communication between them and operators but, indirectly, also hampers the development of simplified business-to-business electronic communication across the Union <i>and will lead to an</i>	(3) The absence of a uniform legal framework at Union level requiring public competent authorities to accept relevant freight transport information, required by legislation, in electronic form, is considered to be the main reason for the lack of progress towards the simplification and greater efficiency made possible by available electronic means. The lack of acceptance by public-competent authorities of information in electronic form affects and with common specifications would ease not only ease of communication between them and operators but, indirectly, also hampers the development of a uniform and simplified business-	A

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		<i>increase in administrative costs, especially for SMEs.</i>	to-business electronic communication across the Union.	
19.		Amendment 6 Recital 4		
20.	(4) Some areas of Union transport law require competent authorities to accept digitised information, but this concerns by far not all relevant Union legislation. It should be possible to use electronic means to make regulatory information on freight transport available to the authorities throughout the territory of the Union and in respect of all relevant phases of transport operations conducted within the Union. Furthermore, that possibility should apply to all regulatory information, in all transport modes.	(4) Some areas of Union transport law require competent authorities to accept digitised information, but this concerns by far not all relevant Union legislation. <i>To reduce administrative burdens and to make controls and countering infringements more efficient,</i> it should <i>always</i> be possible to use electronic means to make regulatory information on freight transport available to the authorities throughout the territory of the Union and in respect of all relevant phases of transport operations conducted within the Union. Furthermore, that possibility should apply to all regulatory information, in all transport modes. <i>Member States should accept electronic transport documents in general,</i>	(4) Some areas of Union transport law require competent authorities to accept digitised information, but this concerns by far not all relevant Union legislation. It should be possible to use electronic means to make regulatory information on freight transport of goods available to the competent authorities throughout the territory of the Union and in respect of all relevant phases of transport operations conducted within the Union. Furthermore, that possibility should apply to all regulatory information, in all transport modes.	C - linked to mandatory vs. voluntary application.

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		<i>and ratify and apply the e-CMR protocol without delay. Therefore, authorities should communicate electronically with the economic operators concerned as regards regulatory information and make their own data digitally available, in line with applicable law.</i>		
21.	(5) Member States' authorities should therefore be required to accept information made available electronically whenever economic operators are obliged to make information available as proof of compliance with requirements laid down in Union acts adopted in accordance Title VI of Part Three of the Treaty or, given the similarity of the situations, with Union legislation on the shipments of waste. The same should apply where a Member State's national legislation dealing with matters governed by Title VI of Part Three of the Treaty requires the provision of regulatory		(5) Member States' Competent authorities should therefore be required to accept information made available electronically whenever economic operators are obliged to make information available as proof of compliance with requirements laid down in Union acts adopted in accordance Title VI of Part Three of the Treaty or, given the similarity of the situations, with Union legislation on the shipments of waste covered by this Regulation. The same should apply where a Member State's national legislation dealing with matters governed by Title VI of Part Three of the Treaty law requires the provision of regulatory	A

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	information identical, in whole or in part, to information to be provided under such Union legislation.		information identical, in whole or in part, to information to be provided under such Union legislation acts.	
22.		Amendment 7 Recital 5 a (new)		
23.		<i>(5a) In order to reduce administrative burden and to free up scarce enforcement capacity, economic operators should be required to provide electronically regulatory information to Member States' competent authorities and Member States' competent authorities should communicate electronically with the economic operators concerned as regards the provision of regulatory information.</i>		C - linked to mandatory vs. voluntary application.
24.		Amendment 8 Recital 6		
25.	(6) Since this Regulation is only intended to facilitate the provision of information, specifically, by electronic means, it should not	(6) Since this Regulation is only intended to facilitate and encourage the provision of information between economic	(6) Since this Regulation is only intended to facilitate the provision of information, specifically, by electronic means, it should not	B

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	affect the provisions of Union or national law determining the content of regulatory information and, in particular, should not impose any additional regulatory information requirements. While this Regulation is intended to allow compliance with regulatory information requirements through electronic means rather by means of paper documents, it should not otherwise affect the relevant Union provisions on requirements regarding the documents to be used for the structured presentation of the information in question. The provisions of Union legislation on shipments of waste containing procedural requirements for the shipments as should equally remain unaffected by this Regulation. This Regulation should also be without prejudice to the provisions on reporting obligations set out in Regulation (EU) No 952/2013 or in implementing or delegated acts.	<i>operators and administrative bodies</i> , specifically, by electronic means, it should not affect the provisions of Union or national law determining the content of regulatory information and, in particular, should not impose any additional regulatory information requirements. <i>Since</i> this Regulation is intended to allow compliance with regulatory information requirements through electronic means rather by means of paper documents, <i>it should enable the development of European Platforms in order to exchange and easily share the information</i> . It should not otherwise affect the relevant Union provisions on requirements regarding the documents to be used for the structured presentation of the information in question. The provisions of Union legislation on shipments of waste containing procedural requirements for the shipments as	affect the provisions of Union or national law determining the content of regulatory information and, in particular, should not impose any additional regulatory information requirements. While this Regulation is intended to allow compliance with regulatory information requirements through electronic means rather than by means of paper documents, it should not otherwise affect the possibility for the economic operators concerned to present that information in paper format, as provided for in the relevant Union or Member States' acts, nor the relevant Union provisions on requirements regarding the documents to be used for the structured presentation of the information in question. In respect The provisions of Regulation (EC) 1013/2006¹ Union legislation on shipments of waste the provisions containing procedural requirements for the shipments as of waste and	

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		should equally remain unaffected by this Regulation. This Regulation should also be without prejudice to the provisions on reporting obligations set out in Regulation (EU) No 952/2013 or in implementing or delegated acts adopted under its terms. <i>However, the Commission should assess if the provisions regarding the content of regulatory information requirements regarding the transport of goods on the territory of the Union need to be adapted in order to improve the enforcement capabilities of the competent authorities.</i>	<p>the provisions referring to controls by customs offices should equally remain- unaffected by this Regulation. This Regulation should also be without prejudice to the provisions on reporting obligations, including in respect of the customs or other authorities competences, as set out in Regulation (EU) No 952/2013² or in implementing or delegated acts adopted under its terms or in Regulation (EU) no. XXX/2019 on EMSWe.</p> <p>_____</p> <p>¹ Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190,</p>	

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			12.7.2006, p. 1). ² Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).	
26.	(7) The use of electronic means for the exchange of information in accordance with this Regulation should be organised in a way that ensures security and respects the confidentiality of sensitive commercial information.		(7) The use of electronic means for the exchange of information in accordance with this Regulation should be organised in a way that ensures security and respects the confidentiality of sensitive commercial information.	
27.	(8) In order to enable operators to provide relevant information in electronic form in the same way in all Member States, it is necessary to rely on common specifications, to be adopted by the Commission. Those specifications should ensure data interoperability for the various data sets and subsets concerning the relevant regulatory information, and determine common procedures and detailed rules for access and processing of that information by the competent		(8) In order to enable operators to provide relevant information in electronic form in the same way in all Member States, it is necessary to rely on common specifications, to be adopted by the Commission- through implementing acts. Those specifications should ensure data interoperability by establishing a single comprehensive data set to be used for the various data sets and subsets concerning electronic communication of the relevant	C - linked to IA vs DA issue.

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	authorities.		regulatory information, and. This comprehensive data set should contain all data elements corresponding to the information requirements contained in each of the respective Union and Member State legal acts, where all data elements common to one or more subsets is included only once. Those specifications should also determine common procedures and detailed rules for access and processing of that information by the competent authorities.	
28.		Amendment 9 Recital 9		
29.	(9) In defining those specifications, due account should be taken of relevant data exchange specifications laid down in relevant Union law, and in relevant European and international standards for multimodal data exchange, as well as of the principles and recommendations set out in the European Interoperability Framework ³ , which provides an	(9) In defining those specifications, due account should be taken of relevant data exchange specifications laid down in relevant Union law, and in relevant European and international standards for multimodal data exchange, including the GDPR provisions. Investments made by economic operators and therefore already existing mode specific data	(9) In defining those specifications, due account should be taken of relevant data exchange specifications laid down in relevant Union law, and in relevant European and international standards for multimodal data exchange, including multimodal standards , as well as of the principles and recommendations set out in the European Interoperability Framework ³ , which provides an approach to the delivery of	B

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	<p>approach to the delivery of European digital public services commonly agreed by the Member States. Due care should also be taken that these specifications remain technology neutral and open to innovative technologies.</p> <hr/> <p>(3) European Interoperability Framework – Implementation Strategy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM(2017) 134).</p>	<p><i>models should also be taken into account</i>, as well as the principles and recommendations set out in the European Interoperability Framework³, which provides an approach to the delivery of European digital public services commonly agreed by the Member States. <i>Furthermore, the proper engagement of all relevant stakeholders is important in the development and preparation of those specifications.</i> Due care should also be taken that these specifications remain technology neutral and open to innovative technologies.</p> <hr/> <p>(3) European Interoperability Framework – Implementation Strategy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM(2017) 134).</p>	<p>European digital public services commonly agreed by the Member States. Due care should also be taken that these specifications remain technology neutral and open to innovative technologies.</p> <hr/> <p>(3) European Interoperability Framework – Implementation Strategy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM(2017) 134).</p>	

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30.			9(a) With a view to minimising costs for both authorities and operators, the establishment of access points for the competent authorities could be considered. These access points would act only as intermediaries between the eFTI platforms and the competent authorities, and should therefore neither store nor process the eFTI data to which they mediate access except for metadata connected to eFTI data processing, such as operation logs necessary for monitoring or statistical purposes. One or more Member States could also agree to establish joint access points for their respective competent authorities.	B
31.	(10) This Regulation should establish the functional requirements applicable to information and communication technology based platforms which could be used by economic operators to make available the		(10) This Regulation should establish the functional requirements applicable to information and communication technology (ICT) based platforms (eFTI platforms) which could be used by economic	B

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	regulatory freight transport information in electronic format (eFTI) to the competent authorities (eFTI platforms). Conditions should also be established for third party eFTI platform services providers (eFTI services providers).		operators to make available the regulatory freight transport information in electronic format (eFTI) to the competent authorities (eFTI platforms) . in order to meet the conditions for mandatory acceptance of this information by authorities, as laid down in this Regulation. Conditions should also be established for third party eFTI platform services providers (eFTI services providers). Those requirements and conditions should ensure, in particular, that all eFTI data can be processed solely according to a comprehensive rights- based access-control system that provides assigned functionalities.	
32.		Amendment 10 Recital 11		
33.	(11) To build the confidence of both the Member States authorities and the economic operators as regards the compliance of the eFTI platforms and eFTI services providers with those requirements, the Member	(11) To build the confidence of both the Member States authorities and the economic operators as regards the compliance of the eFTI platforms and eFTI services providers with those requirements, the Member	(11) To build the confidence of both the Member States authorities and the economic operators as regards the compliance of the eFTI platforms and eFTI services providers with those functional requirements, the Member States	B

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	<p>States competent authorities should put in place a certification system underpinned by accreditation in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council⁴.</p> <hr/> <p>⁴ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p.30).</p>	<p>States competent authorities should put in place a certification system underpinned by accreditation in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council⁴. <i>Due to the relatively long implementation period the Commission should assess if technologies like the blockchain technology could guarantee a similar result as the certification system while substantially bringing down costs for economic operators and Member States.</i></p> <hr/> <p>⁴ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008,</p>	<p>competent authorities should put in place a certification system underpinned by accreditation in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council³. ICT systems already in use should also be eligible to apply for certification under this certification system, provided they comply with the requirements for eFTI platforms laid down in this Regulation.</p> <hr/> <p>⁴ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p.30).</p>	

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		p.30).		
34.			(11a) Notwithstanding the obligation for all competent authorities to accept the information made available through a certified eFTI platform in accordance with this Regulation, the competent authorities may also accept information delivered electronically through other systems if the Member State so chooses. At the same time, this Regulation should not prevent business-to-business use, as well as additional functionalities, of the eFTI platforms, as long as this does not affect the processing of the regulatory information falling under the scope of this Regulation in compliance with the Regulation's requirements.	B
35.		Amendment 11 Recital 12		
36.	(12) In order to ensure uniform conditions for the implementation of the obligation to accept the	<i>deleted</i>	(12) In order to ensure uniform conditions for the implementation of the obligation to accept the	C - linked to IAs / DAs

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	<p>regulatory information made available in electronic format pursuant to this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵.</p> <hr/> <p>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>		<p>regulatory information made available in electronic format pursuant to this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵.</p> <hr/> <p>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>	
37.		Amendment 12 Recital 13		
38.	(13) In particular, implementing powers should be conferred on the Commission to establish a common data set and subsets in relation to the respective	<i>deleted</i>	(13) In particular, implementing powers should be conferred on the Commission to establish a common data set and subsets in relation to the respective regulatory	C - linked to IAs / DAs

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	regulatory information requirements covered by this Regulation, as well as common procedures and detailed rules for competent authorities for the access to and processing of that information where the economic operators concerned make this information available electronically, including detailed rules and technical specifications.		information requirements covered by this Regulation, as well as common procedures and detailed rules for competent authorities for the access to and processing of that information where the economic operators concerned make this information available electronically, including detailed rules and technical specifications.	
39.		Amendment 13 Recital 14		
40.	(14) Implementing powers should also be conferred on the Commission to establish detailed rules for the implementation of the requirements for eFTI platforms and for eFTI services providers.	<i>deleted</i>	(14) Implementing powers should also be conferred on the Commission to establish detailed rules for the implementation of the requirements for eFTI platforms and for eFTI services providers.	C - linked to IAs / DAs
41.	(15) In order to ensure the proper application of this Regulation, 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:		(15) In order to ensure the proper application of this Regulation, 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:	A

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	<ul style="list-style-type: none"> - to amend Part B of Annex I, in order to incorporate the lists of regulatory information requirements in Member States' legislation notified to the Commission by the Member States in accordance with this Regulation; - to amend Part A of Annex I to take into account any delegated or implementing acts adopted by the Commission which establish new Union regulatory information requirements in relation to the transport of goods; - to amend Part B of Annex I to incorporate any new provision of relevant national legislation which introduces changes to the national regulatory information requirements, or lays down new relevant regulatory information requirements falling under the scope of this Regulation notified to the Commission by the Member States in accordance with this Regulation; 		<ul style="list-style-type: none"> - to amend Part B of Annex I, in order to incorporate the lists of regulatory information requirements in Member States' legislation notified to the Commission by the Member States in accordance with this Regulation; - to amend Part A of Annex I to take into account any delegated or implementing acts adopted by the Commission which establish new Union regulatory information requirements in relation to the transport of goods; - to amend Part B of Annex I to incorporate any new provision of relevant national legislationlaw which introduces changes to the national regulatory information requirements, or lays down new relevant regulatory information requirements falling under the scope of this Regulation notified to the Commission by the Member States in accordance with this Regulation; 	

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	to supplement certain technical aspects of this Regulation, namely as regards the rules for certification of eFTI platforms and eFTI services providers.		- to supplement certain technical aspects of this Regulation, namely as regards the rules for certification of eFTI platforms and of eFTI services providers.	
42.		Amendment 14 Recital 15– indent 4 a (new)		
43.		<i>- to establish common procedures, technical specifications and detailed rules for competent authorities for the access to and processing of the respective information requirements covered by this Regulation, as well as detailed rules for the implementation of the requirements for eFTI platforms and for eFTI services providers.</i>		C
44.	(16) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional		(16) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional	

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	<p>Agreement of 13 April 2016 on Better Law-Making⁶. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>_____</p> <p>⁶ OJ L 123, 12.5.2016, p. 1</p>		<p>Agreement of 13 April 2016 on Better Law-Making⁶. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>_____</p> <p>⁶ OJ L 123, 12.5.2016, p. 1</p>	
45.	<p>(17) Since the objectives of this Regulation, namely to ensure a uniform approach to acceptance by Member State authorities of freight transport information made available electronically, cannot be sufficiently achieved by the Member States but can rather, by reason of the need to establish common requirements, be better</p>		<p>(17) Since the objectives of this Regulation, namely to ensure a uniform approach to acceptance by Member State competent authorities of freight transport information made available electronically, cannot be sufficiently achieved by the Member States but can rather, by reason of the need to establish</p>	A

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	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 those objectives.		common requirements, 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 those objectives.	
46.	<p>(18) Processing by electronic means of personal data required as part of freight transport regulatory information should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council⁷.</p> <p>_____</p> <p>⁷ 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</p>		<p>(18) Processing by electronic means of personal data required as part of freight transport regulatory information should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council⁷.</p> <p>_____</p> <p>⁷ 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</p>	

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	(General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).		Regulation) (OJ L 119, 4.5.2016, p. 1).	
47.	(19) The Commission should carry out an evaluation of this Regulation. Information should be collected in order to inform this evaluation, and to assess the performance of the legislation against the objectives it pursues.		(19) The Commission should carry out an evaluation of this Regulation. Information should be collected in order to inform this evaluation, and to assess the performance of the legislation against the objectives it pursues.	
48.	(20) This Regulation cannot be effectively applied before the delegated and implementing acts provided for in it have entered into force. This Regulation should therefore apply with effect from [please insert the date], in order to give the Commission time to adopt those acts.		(20) This Regulation cannot be effectively applied before the delegated and implementing acts provided for in it have entered into force. This Regulation should therefore apply with effect from [please insert the date], in order to give the Commission time to adopt those acts.	

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49.		Amendment 15 Recital 20 (new)		
50.		<i>(20a) The Commission should start immediately to work on the necessary delegated acts in order to avoid further delays and to ensure that economic operators and Member States have enough time to prepare.</i>		A
51.	<p>(21) The European Data Protection Supervisor was consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001 of the European Parliament and of the Council⁸ and delivered an opinion on xx XXX 20xx⁹,</p> <hr/> <p>⁹ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the</p>		<p>(21) The European Data Protection Supervisor was consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001 of the European Parliament and of the Council⁸ and delivered an opinion on xx XXX 20xx⁹,</p> <hr/> <p>⁹ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free</p>	

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	free movement of such data (OJ L 8, 12.1.2001, p. 1). ⁹ OJ C....		movement of such data (OJ L 8, 12.1.2001, p. 1) ⁹ OJ C....	
52.	HAVE ADOPTED THIS REGULATION:			
53.	CHAPTER I GENERAL PROVISIONS			
54.	<i>Article 1</i> <i>Subject matter and scope</i>		<i>Article 1</i> <i>Subject matter and scope</i>	
55.		Amendment 16 Article 1 – paragraph 1 – introductory part		
56.	1. This Regulation establishes a legal framework for the electronic communication of regulatory information related to the transport of goods on the territory of the Union. For that purpose, this Regulation:	1. This Regulation establishes a legal framework for the electronic communication of regulatory information related to the transport of goods on the territory of the Union, <i>including its interoperability</i> . For that purpose, this Regulation:	1. This Regulation establishes a legal framework for the electronic communication of regulatory information between the economic operators concerned and competent authorities related to the transport of goods on the territory of the Union. For that purpose, this Regulation:	<u>B - EP amendment in principle acceptable, however EP should provide further clarifications on the meaning of 'interoperability' in this context.</u> <u>Could be addressed elsewhere in the text. See proposal under Article 8(2), line 164.</u>

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57.		Amendment 17 Article 1 – paragraph 1 – point a		
58.	a) lays down the conditions under which Member States' competent authorities are required to accept regulatory information when made available electronically by economic operators concerned;	a) lays down the conditions under which Member States' competent authorities are required to accept regulatory information <i>provided</i> electronically by economic operators concerned;	(a) lays down the conditions under which Member States' competent authorities are required to accept regulatory information when made available electronically by economic operators concerned;	<u>AB - linked to mandatory vs voluntary application.</u>
59.		Amendment 18 Article 1 – paragraph 1 – point a a (new)		
60.		<i>(aa) lays down the conditions under which the economic operators concerned are required to make regulatory information electronically available to the Member States' competent authorities;</i>		<u>C - linked to mandatory vs voluntary application.</u>
61.	b) lays down rules for the provision of services related to making regulatory information available electronically by the economic operators concerned.		(b) lays down rules for the provision of services related to making regulatory information available electronically by the economic operators concerned to	A

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			the competent authorities.	
62.		Amendment 19 Article 1 – paragraph 1 – point a b (new)		
63.		<i>(ab) lays down the conditions under which Member States' competent authorities have to communicate electronically with the economic operators concerned as regards the provision of regulatory information.</i>		C - EP amendment at least in part covered by GA (article 5(1)), full scope of communication to be clarified by EP.
64.		Amendment 20 Article 1 – paragraph 2 – subparagraph 1		
65.	2. This Regulation applies to regulatory information requirements set out in Union acts laying down the conditions for the transport of goods on the territory of the Union in accordance with Title VI of Part Three of the Treaty, or laying down the conditions for the shipments of waste. In respect of the shipment of waste, this Regulation does not apply to controls by customs	2. This Regulation applies to regulatory information requirements set out in Union acts laying down the conditions for the transport of goods on the territory of the Union in accordance with Title VI of Part Three of the Treaty, or laying down the conditions for the shipments of waste and regulatory information requirements for the transport of goods set out in international	2. This Regulation applies to: (a) regulatory information requirements set out in Union acts laying down the conditions for the transport of goods on the territory of the Union in accordance with Title VI of Part Three of the Treaty, or laying down the conditions for the shipments of waste. In respect of the shipment of waste:	C - linked to scope. <u>Further clarifications by the EP are needed.</u> <u>Partially covered by Article 7(2)(a) and (b).</u>

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	<p>offices, as provided for in the applicable Union provisions. The Union acts to which this Regulation applies and the corresponding regulatory information requirements are listed in part A of Annex I.</p> <p>This Regulation also applies to regulatory information requirements set out in Member States' law dealing with matters governed by Title VI of Part Three of the Treaty and requiring the provision of information identical, in whole or in part, to the information to be provided pursuant to regulatory information requirements referred to in the first subparagraph.</p>	<p><i>conventions applicable in the Union.</i> In respect of the shipment of waste, this Regulation does not apply to controls by customs offices, as provided for in the applicable Union <i>provisions</i>. The Union acts to which this Regulation applies and the corresponding regulatory information requirements are listed in part A of Annex I.</p>		
66.			<ul style="list-style-type: none"> - EEC Council Regulation No. 11⁴, article 6(1); - Directive 92/106/EEC⁵, article 3; 	C

⁴ EEC Council: Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ English special edition: Series I Volume 1959-1962 p. 60).

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			<ul style="list-style-type: none"> - Regulation (EC) No 1072/2009⁶, article 8(3); - Regulation (EC) 1013/2006⁷, article 16(c) and article 18(1); - in respect of of Directive 2008/68/EC⁸, chapter 5.4 of the Annexes to RID, ADR and ADN as referred to in Annex I, section I.1, Annex II, section II.1 and Annex III, section III.1 of that Directive⁹. 	
67.			<p>In respect of the shipment of waste Regulation (EC) 1013/2006, this Regulation does not apply to controls by customs offices, as provided for in the applicable Union provisions. The Union acts to which this Regulation applies</p>	C

⁵ Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p. 38).

⁶ Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p. 72).

⁷ Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).

⁸ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13–59).

⁹ References to ADR, RID and ADN must be understood within the meaning of Article 2(1), 2(2) and 2(3) of Directive 2008/68/EC.

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			and the corresponding regulatory information requirements are listed in part A of Annex I.	
68.			(b) regulatory information requirements laid down in a delegated or implementing act adopted by the Commission pursuant to legislative acts referred to in point (a) or pursuant to Directive 2016/797/EU¹⁰ or to Regulation (EC) No 300/2008¹¹. Those delegated or implementing acts to which this Regulation applies and the corresponding regulatory information requirements shall be listed in part A of Annex I. This Regulation also applies to	C
69.	The national legislation and the corresponding regulatory information requirements referred to in the second subparagraph		(c) regulatory information requirements set out in national law and listed in Part B of Annex I.	C

¹⁰ Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44).

¹¹ Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97, 9.4.2008, p. 72).

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	shall be listed in part B of Annex I, in accordance with the procedure set out in Article 2(b).			
70.	3. By [OP insert one year from the entry into force of this Regulation] at the latest, the Member States shall notify the Commission of the provisions of national legislation and corresponding regulatory information requirements referred to in the second subparagraph of paragraph 2, to be included in part B of Annex I. The Member States shall also notify the Commission of any new provision of national legislation subsequently adopted, covered by the second subparagraph of paragraph 2, and which introduces changes to those regulatory information requirements or lays down new relevant regulatory information requirements, within a month from the adoption of such provision.		3. By [OP insert one year from the entry into force of this Regulation] at the latest, the Member States shall notify the Commission of the provisions of national law legislation and corresponding regulatory information requirements referred to that require the provision of information identical, in whole or in part, to the information to be provided pursuant to regulatory information requirements referred to in paragraphs 2(a) and 2(b) the second subparagraph of paragraph 2, to be included in part B of Annex I. The Member States shall also notify the Commission of any new provision of national legislation subsequently adopted, covered by the second subparagraph of paragraph 2, and which introduces changes to those regulatory information requirements or lays down new relevant regulatory	C

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			information requirements, within a month from the adoption of such provision.	
71.			Subsequent to that notification, the Member States shall notify the Commission of law that:	C
72.			(a) introduces changes to regulatory information requirements listed in part B of Annex I; or	C
73.			(b) lays down new relevant regulatory information requirements, identical, in whole or in part, to the information to be provided pursuant to regulatory information requirements referred to in paragraphs 2(a) and 2(b).	C
74.			Member States shall make such notifications within one month from the adoption of such provision.	B

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75.	<i>Article 2 Adaptation of Annex I</i>		<i>Article 2 Adaptation of Annex I</i>	
76.	The Commission is empowered to adopt delegated acts in accordance with Article 13, concerning the amendment of Annex I in order to:		The Commission is empowered shall adopt delegated acts in accordance with Article 13, concerning the amendment of amending Annex I in order to:	EB
77.	a) include a reference to any delegated or implementing acts adopted by the Commission, which establish new regulatory information requirements in relation to Union legal acts governing the transport of goods in accordance with Title VI of Part Three of the Treaty;		(a) include include a reference to any delegated or implementing acts adopted by the Commission, which establish new regulatory information requirements referred to in relation to Union legal acts governing the transport of goods in accordance with Title VI of Part Three of the Treaty; Article 1(2)(b);	B

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78.		Amendment 21 Article 2 – paragraph 1 – point b a (new)		
79.	b) incorporate include references to national legislation and regulatory information requirements notified by Member States in accordance with Article 1(3).	<i>(ba) incorporate references to other Union legal acts governing the transport of goods, which establish regulatory information requirements;</i>	(b) incorporate or delete references to national legislation law and regulatory information requirements notified by Member States in accordance with the notifications made under Article 1(3).	C - <u>scope</u> <u>Scope must be defined in co-decision, not delegated acts.</u> <u>Possibility to foresee extension of the scope in the future, in a recital or review clause, could be discussed later during the process.</u>

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80.		Amendment 22 Proposal for a regulation Article 2 – paragraph 1 – point b b (new)		
81.		<i>(bb) incorporate references to international conventions applicable in the Union establishing regulatory information requirements directly or indirectly related to the transport of goods.</i>		C - <u>scope</u>

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82.	<i>Article 3 Definitions</i>		<i>Article 3 Definitions</i>	
83.	For the purposes of this Regulation, the following definitions apply:		For the purposes of this Regulation, the following definitions apply:	
84.	1) 'regulatory information' means information, whether or not presented as a document, related to transport of cargo in the territory of the Union, including by way of transit, which is to be made available by an economic operator concerned in accordance with the provisions referred to in Article 1(2) in order to prove compliance with the relevant requirements of the acts concerned;		1) 'regulatory information' means information, whether or not presented as a document, related to transport of cargo goods in the territory of the Union, including by way of transit, which is to be made available by an economic operator concerned in accordance with the provisions referred to in Article 1(2) in order to prove compliance with the relevant requirements of the acts concerned;	A
85.	2) 'regulatory information requirement' means a requirement to provide regulatory information;		2) 'regulatory information requirement' means a requirement to provide regulatory information;	
86.			(2a) 'competent authority' means any public authority,	<u>BA</u>

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			agency or other body which has competence to perform tasks under the acts referred to in Article 1(2) and for which access to regulatory information is necessary, such as checking, enforcing, validating or monitoring compliance on the territory of a Member State;	
87.	3) 'electronic freight transport information' (eFTI) means any set of data elements processed on electronic support for purposes of exchanging regulatory information between the economic operators concerned and with the competent public authorities;		(3) 'electronic freight transport information' (eFTI) means any set of data elements processed on electronic support for purposes of exchanging regulatory information between among the economic operators concerned and with the competent public authorities;	A
88.			(3a) 'eFTI data subset' means the set of structured data elements corresponding to the regulatory information required in a specific Union or Member State legal act referred to in Article 1(2).	B
89.			(3b) 'eFTI common data set' means the comprehensive set of	B

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			structured data elements corresponding to all the eFTI data subsets, where the data elements common to the different eFTI data subsets are included only once;	
90.			(3c) ‘data element’ means the smallest unit of information which has a unique definition and precise technical characteristics such as format, length and character type;	B
91.	4) ‘processing’ means any operation or set of operations performed on eFTI, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;		4) ‘processing’ means any operation or set of operations performed on eFTI, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;	
92.			(4a) ‘operation log’ means an automated record of electronic	B

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			processing of eFTI.	
93.	5) 'eFTI platform' means any information and communication technology (ICT) based solution, such as an operating system, an operating environment, or a database, intended to be used for the processing of eFTI;		5) 'eFTI platform' means any information and communication technology (ICT) based solution, such as an operating system, an operating environment, or a database, intended to be used for the processing of eFTI;	
94.	6) 'eFTI platform developer' means any natural or legal person which has developed or acquired an eFTI platform either for purposes of processing of regulatory information related to its own economic activity, or for putting that platform on the market;		6) 'eFTI platform developer' means any natural or legal person which has developed or acquired an eFTI platform either for purposes of processing of regulatory information related to its own economic activity, or for putting that platform on the market;	
95.	7) 'eFTI service' means a service consisting of eFTI processing by means of an eFTI platform, alone or in combination with other ICT solutions, including other eFTI platforms;		7) 'eFTI service' means a service consisting of eFTI processing by means of an eFTI platform, alone or in combination with other ICT solutions, including other eFTI platforms;	
96.	8) 'eFTI service provider' means any natural or legal person which provides an eFTI service to		8) 'eFTI service provider' means any natural or legal person which provides an eFTI service to	

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	economic operators concerned on the basis of a contract;		economic operators concerned on the basis of a contract;	
97.	9) ‘economic operator concerned’ means any transport or logistic operator, or any other natural or legal person, who is responsible for making regulatory information available to the competent authorities in accordance with the relevant regulatory information requirement;		9) ‘economic operator concerned’ means any transport or logistic operator, or any other natural or legal person, who is responsible for making regulatory information available to the competent authorities in accordance with the relevant regulatory information requirement;	
98.	10) 'human-readable format' means a way of representation of the data in electronic form that can be used as information by a natural person without requiring any further processing;		10) 'human-readable format' means a way of representation of the data in electronic form that can be used as information by a natural person without requiring any further processing;	
99.	11) 'machine-readable format' means a way of representation of the data in electronic form that can be used for automatic processing by a machine;		11) 'machine-readable format' means a way of representation of the data in electronic form that can be used for automatic processing by a machine;	
100.	12) ‘conformity assessment body’ means a conformity assessment body within the		12) ‘conformity assessment body’ means a conformity assessment body within the meaning of point	

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	meaning of point 13 of Article 2 of Regulation (EC) No 765/2008, which is accredited in accordance with that Regulation to carry out conformity assessment of an eFTI platform or an eFTI service provider.		13 of Article 2 of Regulation (EC) No 765/2008, which is accredited in accordance with that Regulation to carry out conformity assessment of an eFTI platform or an eFTI service provider.	
101.			(13) 'shipment' means the transport of a determined set of goods, including waste, between the first place of pick-up and final place of delivery under the terms of a single transport contract or multiple consecutive transport contracts including, where applicable, the transfer between different modes of transport, irrespective of the quantity or number of containers, packages, or pieces concerned.	<u>BA</u>

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102.	CHAPTER II REGULATORY INFORMATION MADE AVAILABLE ELECTRONICALLY		CHAPTER II REGULATORY INFORMATION MADE AVAILABLE ELECTRONICALLY	
103.		Amendment 23 Article 4 – title		
104.	<i>Article 4</i> <i>Requirements for economic</i> <i>optiterators concerned</i>	Requirements for <i>the</i> economic <i>operators</i> concerned	<i>Article 4</i> <i>Requirements for economic</i> <i>optiterators</i> <i>operators concerned</i>	
105.			For the purposes of Article 5(1) economic operators shall comply with the requirements set out in this Article.	
106.		Amendment 24 Article 4 – paragraph 1 – subparagraph 1		
107.	1. Where economic operators concerned make regulatory information available electronically, they shall do so on the basis of data processed in a certified eFTI platform and, if applicable, by a certified eFTI service provider. The regulatory information shall be made available in machine-readable	Economic operators concerned shall make regulatory information available electronically. They shall do so on the basis of data processed in a certified eFTI platform, in accordance with Article 8 , and, if applicable, by a certified eFTI service provider, in accordance with Article 9 . The regulatory information shall be	Where economic operators concerned make regulatory information available electronically to a competent authority , they shall do so on the basis of data processed in a certified eFTI platform and, if applicable, by a certified eFTI service provider. The regulatory information shall be made available by the economic	C - linked to mandatory vs voluntary application. <u>Second part of EP amendment: EP to clarify the references. Amendment could be accepted subject to redrafting.</u>

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	format and, at the request of the competent authority, in human-readable format.	made available in machine-readable format and, at the request of the competent authority, in human-readable format.	operators in machine-readable format and, at the request of the competent authority, in human-readable format.	
108.		Amendment 25 Article 4 – paragraph 1 – subparagraph 2		
109.	Information in machine-readable format shall be made available via an authenticated and secure connection to the data source of an eFTI platform. Economic operators concerned shall communicate the Internet address via which the information can be accessed, together with any other elements that are necessary to allow the competent authority to uniquely identify the regulatory information.	Information in machine-readable format shall be made available via an authenticated, interoperable and secure connection to the data source of an eFTI platform. Economic operators concerned shall communicate the Internet address via which the information can be accessed, together with any other elements that are necessary to allow the competent authority to uniquely identify the regulatory information.	Information in machine-readable format shall be made available via an authenticated and secure connection to the data source of an eFTI platform. Economic operators concerned shall communicate the Internet address via which the information can be accessed, together with any other elements that are necessary unique electronic identifying link referred to allow in Article 8(1) paragraph (c) allowing the competent authority to uniquely identify the regulatory information related to the shipment .	B – <u>interoperability as a concept acceptable, however EP to clarify what is meant by 'interoperable' in this context.</u>
110.	Information in human-readable format shall be made available on the spot, on the screen of electronic devices owned by the		Information in human-readable format shall be made available on the spot, on the screen of electronic devices owned by the economic	B

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	economic operator concerned or by the competent authorities.		operator concerned or by the competent authorities.	
111.	2. The Member States shall take measures to enable their competent authorities to process regulatory information made available by the economic operators concerned in machine-readable format pursuant to the second subparagraph of paragraph 1, in accordance with the provisions established by the Commission pursuant to Article 7.		<i>Deleted</i>	A - moved to line 117.
112.		Amendment 26 Article 5 – title		
113.	<i>Article 5</i> <i>Acceptance by competent authorities</i>	Acceptance <i>and provision of regulatory information</i> by competent authorities	<i>Article 5</i> Acceptance by <i>Requirements for competent authorities</i>	B
114.	Member States' competent authorities shall accept regulatory information made available electronically by the economic operators concerned in accordance with Article 4.		1. Member States² competent authorities shall accept regulatory information made available electronically by the economic operators concerned in accordance with Article 4.	A
115.			Where the economic operator concerned has made	B

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			electronically available, in accordance with Article 4, regulatory information required under Regulation (EC) No 1013/2006 on shipments of waste the competent authorities concerned shall accept such regulatory information also without the agreement referred to in Article 26 paragraphs 3 and 4 of that Regulation.	
116.			Where regulatory information required in a specific Union or Member State legal act referred to in Article 1(2) includes official validation, such as stamps or certificates, the respective authority shall provide this validation electronically, in accordance with the requirements established pursuant to Article 7.	B <u>C</u> - see also lines <u>60 and</u> 119
117.			2. In order to comply with the requirements set out in paragraph 1, Member States shall take measures to enable their competent authorities to access and process the regulatory	C - linked to the issue of IAs and DAs

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			information made available by economic operators in accordance with Article 4. Those measures shall be in accordance with the provisions established pursuant to Article 7.	
118.		Amendment 27 Article 5 – paragraph 1 a (new)		
119.		<i>Member States' competent authorities shall communicate with the economic operators concerned concerning regulatory information electronically.</i>		C - linked to mandatory vs voluntary application. <u>Clarifications by the EP are needed. Possibly covered by Art. 5(1), see line 116.</u>
120.	<i>Article 6</i> <i>Confidential commercial information</i>		<i>Article 6</i> <i>Confidential commercial information</i>	
121.	The competent authorities, eFTI services providers and economic operators concerned shall take measures to ensure confidentiality of commercial information processed and exchanged in accordance with this Regulation.		The competent authorities, eFTI services providers and economic operators concerned shall take measures to ensure confidentiality of commercial information processed and exchanged in accordance with this Regulation- and ensure that such information can be accessed and processed	<u>AB</u>

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			only when authorised.	
122.	<i>Article 7 Common eFTI data set, procedures and rules for access</i>		<i>Article 7 Common eFTI data set, procedures and rules for access</i>	
123.		Amendment 28 Article 7 – paragraph 1 – introductory part		
124.	The Commission shall establish the following by means of implementing acts:	The Commission is empowered to adopt delegated acts in accordance with Article 13, in order to establish the following:	1. The Commission shall establish the following , by means of implementing acts:	C
125.	a) common eFTI data set and subsets in relation to the respective regulatory information requirements, including corresponding definitions for each data element included in the common data set and subsets;		(a) a common establish and amend the eFTI common data set and data subsets in relation to the respective regulatory information requirements, as referred to in Article 1(2) , including corresponding definitions specifications for each data element included in the common data set and subsets;	C
126.	b) common procedures and detailed rules, including common technical specifications, for competent authorities'		(b) define common procedures and detailed rules, including common technical specifications, for competent authorities' access to eFTI platforms, including	

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	access to eFTI platforms, including procedures for processing of regulatory information made available electronically by the economic operators concerned.		procedures for processing of regulatory information made available electronically by the economic operators concerned.	
127.		Amendment 29 Article 7 – paragraph 1 – point b a (new)		
128.		<i>(ba) common procedures and detailed rules for validating the identity of any natural person or legal entity issuing legally binding statements hereunder;</i>		B, see also line 107. <u>EP to provide clarifications. The main idea could be included subject to redrafting.</u>
129.		Amendment 30 Article 7 – paragraph 1 a (new)		
130.		<i>Existing, standardised data models and data sets identified in international conventions that are applicable in the Union shall be used as a reference for defining these common eFTI data, procedures and rules for access.</i>		B - <u>Covered by GA under Article 7(2), see lines 132-133.</u> <u>EP amendment not feasible as drafted; International conventions do not identify data models.</u>
131.			2. In adopting the implementing acts referred to in	B

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			paragraph 1, the Commission shall:	
132.			a) take into account relevant international conventions and Union acts;	B - similar EP amendment in lines 65 and 130.
133.			b) seek to achieve the interoperability of the eFTI common data set and data subsets with relevant data models accepted internationally or at Union level, including multimodal data models; and	B - similar EP amendment in lines 65 and 130.
134.			c) seek to enhance the efficiency of the administrative procedures and minimise compliance costs both for the economic operators and authorities concerned.	B
135.		Amendment 31 Article 7 - paragraph 2		
136.	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).	<i>deleted</i>	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2). The first such implementing act covering all elements referred to in	C

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			paragraph 1 shall be adopted no later than [3 years after the date of entry into force of this Regulation].	
137.	CHAPTER III EFTI PLATFORMS AND SERVICES		CHAPTER III EFTI PLATFORMS AND SERVICES	
138.	SECTION 1 REQUIREMENTS FOR EFTI PLATFORMS AND SERVICES		SECTION 1 REQUIREMENTS FOR EFTI PLATFORMS AND SERVICES	
139.	<i>Article 8 Functional requirements for eFTI platforms</i>		<i>Article 8 Functional requirements for eFTI platforms</i>	
140.		Amendment 32 Article 8 – paragraph 1 – introductory part		
141.	1. The eFTI platforms used for processing regulatory information shall provide functionalities that ensure that:	1. <i>The eFTI platforms shall be governed by the general principles of technological neutrality as well as interoperability.</i> The eFTI platforms used for processing regulatory information shall provide functionalities that ensure	1. The eFTI platforms used for processing regulatory information shall provide functionalities that ensure that:	B - <u>See proposal in line 165.</u>

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		that:		
142.		Amendment 33 Article 8 – paragraph 1 – point a		
143.	a) personal data can be processed in accordance with Regulation (EU) 2016/679;	(a) personal data <i>have to</i> be processed in accordance with Regulation (EU) 2016/679;	a) personal data can be processed in accordance with Regulation (EU) 2016/679 ¹² ;	B
144.		Amendment 34 Article 8 – paragraph 1 – point b		
145.	b) commercial data can be processed in accordance with Article 6;	(b) commercial data <i>have to</i> be processed in accordance with Article 6;	b) commercial data can be processed in accordance with Article 6;	B
146.		Amendment 35 Article 8 – paragraph 1 – point b a (new)		
147.		<i>(ba) eFTI platforms and the data contained therein are interoperable;</i>	(ba) competent authorities can access and process the data in accordance with the specifications adopted pursuant Article 7;	B
148.			(bb) economic operators concerned can make the information available to the	B

¹² Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

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			competent authorities in accordance with Article 4.	
149.		Amendment 36 Article 8 – paragraph 1 – point c		
150.	c) a unique electronic identifying link can be established between the data processed and the physical shipment of a determined set of goods to which that data is related, from origin to destination, under the terms of a single transport contract, irrespective of the quantity or number of containers, packages, or pieces;	(c) a unique electronic identifying link can be established between the data processed and the physical shipment of a determined set of goods to which that data is related, from origin to destination, under the terms of a single transport contract or consignment note;	(c) a unique electronic identifying link can be established between the data processed and the physical a shipment of a determined set of goods to which that data is and the related, from origin eFTI data elements, including a structured reference to destination, under the terms of a single transport contract, irrespective of the quantity or number of containers, packages, or pieces; the eFTI platform where the data is made available, such as a unique reference identifier;	A
151.	d) data can be processed solely on the basis of authorised and authenticated access;		(d) data can be processed solely on the basis of authorised and authenticated access;	
152.	e) all processing operations are duly recorded in order to allow, at a minimum, the identification of each distinct operation, the natural		(e) all data processing operations are is duly recorded through operation logs in order to allow, at a minimum, the identification of	A

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	or legal person having made the operation and the sequencing of the operations on each individual data element; if an operation involves modifying or erasing an existing data element, the original data element shall be preserved;		each distinct operation, the natural or legal person having made the operation and the sequencing of the operations on each individual data element; if an operation involves modifying or erasing an existing data element, the original data element shall be preserved;	
153.		Amendment 37 Article 8 – paragraph 1 – point e a (new)		
154.		<i>(ea) competent authorities have immediate access to all relevant information, as provided for in national or Union legislation, in order to ensure public order and compliance with Union legal acts governing the transport of goods in accordance with Title VI of Part Three of the Treaty;</i>		B - scope - enforcement and compliance. <u>EP to provide clarifications.</u> <u>Amendment could be included in a recital subject to redrafting.</u> <u>Linked to GA, see line 147.</u>
155.	f) data can be archived and remain accessible for an appropriate period of time, in accordance with the relevant regulatory information requirements;		(f) data can be archived and remain accessible for the competent authorities for the period of time specified in the legislation laying down the respective regulatory	B

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			information requirements; an appropriate period of time, in accordance with the relevant regulatory information requirements;	
156.			(fa) the operation logs referred to in point (e) are archived and remain accessible for the competent authorities, for auditing purposes, for the period of time specified in the legislation laying down the respective regulatory information requirements and, for monitoring purposes, for the periods of time referred to in Article 16.	B
157.	(g) data is protected against corruption and theft;		(g) data is protected against corruption and theft;	
158.		Amendment 38 Article 8 – paragraph 1 – point h		
159.	(h) the data elements processed correspond to the common eFTI data set and subsets, and can be processed in any of the official	(h) the data elements processed correspond to the common eFTI data set and subsets, and can be processed in any of the official languages of the Union <i>or co-</i>	(h) the data elements processed correspond to the common eFTI data set and subsets as established according to the provisions of Article 7 , and can be processed in	B

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	languages of the Union.	<i>official in a Member State.</i>	any of the official languages of the Union as provided by the act laying down the respective regulatory information requirements.	
160.				
161.		Amendment 39 Article 8 – paragraph 1 a (new)		
162.		<i>1a. There shall be a standardised eFTI format which includes all regulatory information requirements listed in part A of Annex 1 and all regulatory information requirements listed in part B of Annex 1 under a designated and distinct section of the eFTI format listed by Member States.</i>		<u>BC –linked to scope.</u> <u>EP to provide further clarifications.</u> <u>Covered by GA, see Article 8(1)(h) in line 159.</u>
163.		Amendment 40 Article 8 – paragraph 2		
164.	2. The Commission shall adopt, by means of implementing acts, detailed rules regarding the	2. The Commission <i>is empowered to adopt delegated acts in accordance with Article</i>	2. The Commission shall adopt, by means of implementing acts, detailed rules specifications	C- linked IAs / DAs and time periods.

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	requirements laid down in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).	13, in order to establish detailed rules regarding the requirements laid down in paragraph 1.	regarding the requirements laid down in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2). The first such implementing act covering all elements referred to in the first paragraph shall be adopted no later than [3 years after the date of entry into force of this Regulation.]	<u>Proposed new second sentence, related to EP AM in line 141:</u> <u>When adopting those implementing acts, the Commission shall take into account the principles of technological neutrality and interoperability.</u>
165.	<i>Article 9 Requirements for eFTI service providers</i>		<i>Article 9 Requirements for eFTI service providers</i>	
166.	1. eFTI service providers shall ensure that:		1. eFTI service providers shall ensure that:	
167.	a) data is processed only by authorised users and according to clearly defined user role and processing rights within the eFTI platform, in accordance with the relevant regulatory information requirements;		a) data is processed only by authorised users and according to clearly defined user role and assigned processing rights within the eFTI platform, in accordance with the relevant regulatory information requirements;	A
168.		Amendment 41 Article 9 – paragraph 1 – point a a		

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		(new)		
169.		<i>(aa) data is interoperable</i>		B - <u>EP to provide clarification.</u> <u>Data interoperability is covered by the use of the eFTI data set.</u>
170.		Amendment 42 Article 9 – paragraph 1 – point b		
171.	b) data is stored and accessible for an appropriate period of time, in accordance with the relevant regulatory information requirements;	(b) data is stored and accessible for <i>four years</i> , in accordance with the relevant regulatory information requirements;	b) data is stored and accessible for an appropriate the period of time; specified in accordance with the relevant the legislation laying down the respective regulatory information requirements;	B <u>EP to provide clarification.</u>
172.		Amendment 43 Article 9 – paragraph 1 – point c		
173.	c) authorities have immediate access to regulatory information concerning a freight transport operation processed by means of their eFTI platforms, when this access is given to the authorities by an economic operator concerned;	c) <i>competent</i> authorities have immediate access to regulatory information concerning a freight transport operation processed by means of their eFTI platforms, when this access is given to the <i>competent</i> authorities by an economic operator concerned;	c) competent authorities have immediate access to regulatory information concerning a freight transport operation processed by means of their eFTI platforms, when this access is given to the authorities by an economic operator concerned free of any charges or fees ;	B - <u>keep GA.</u>
174.	d) data is appropriately secured, including against		d) data is appropriately secured, including against unauthorised or	

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	unauthorised or unlawful processing and against accidental loss, destruction or damage.		unlawful processing and against accidental loss, destruction or damage.	
175.		Amendment 44 Article 9 – paragraph 2		
176.	2. The Commission shall adopt, by means of implementing acts, detailed rules regarding the requirements laid down in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).	2. The Commission <i>is empowered to adopt delegated acts in accordance with Article 13, in order to establish</i> detailed rules regarding the requirements laid down in paragraph 1.	2. The Commission shall adopt, by means of implementing acts, detailed rules regarding the requirements laid down in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2). The first such implementing act covering all elements referred to in the first paragraph shall be adopted no later than [3 years after the date of entry into force of this Regulation].	C
177.	SECTION 3 CERTIFICATION		SECTION 32 CERTIFICATION	
178.	<i>Article 10</i> <i>Conformity assessment bodies</i>		<i>Article 10</i> <i>Conformity assessment bodies</i>	
179.	1. Conformity assessment bodies shall be accredited according to Regulation (EC) No		1. Conformity assessment bodies shall be accredited according to Regulation (EC) No	

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	765/2008 for the purposes of performing the certification of eFTI platforms and service providers as set out in Articles 11 and 12 of this Regulation.		765/2008 for the purposes of performing the certification of eFTI platforms and service providers as set out in Articles 11 and 12 of this Regulation.	
180.	2. For the purposes of accreditation, a conformity assessment body shall meet the requirements laid down in Annex II.		2. For the purposes of accreditation, a conformity assessment body shall meet the requirements laid down in Annex II. National accreditation bodies shall communicate to the authority designated in accordance with paragraph 3 the link to the website where they make public the available information on the accredited conformity assessment bodies, including an up-to-date list of these bodies.	B
181.		Amendment 45 Article 10 – paragraph 3		
182.	3. Member States shall maintain an updated list of the accredited conformity assessment bodies, and of the eFTI platforms and eFTI service providers certified by those bodies in	3. Member States shall maintain an updated list of the accredited conformity assessment bodies, and of the eFTI platforms and eFTI service providers certified by those bodies in	3. Each Member States shall designate an authority that shall maintain an up to date list of the accredited conformity assessment bodies, and of the eFTI platforms and the eFTI service	B

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	accordance with Articles 11 and 12. They shall make that list publicly available on an official government Internet website. The list shall be regularly updated, and by the latest by 31 March each year.	accordance with Articles 11 and 12. They shall make that list publicly available on an official government Internet website. The list shall be updated <i>without delay each time a change to the information that it contains occurs</i> , and at the latest by 31 <i>May</i> each year.	providers certified by those bodies holding a valid certification on the basis of the information provided in accordance with Articles 10(2) , 11(2) and 12-They(2) . Those designated competent authorities shall make that list publicly available on an official government Internet website. The list shall be regularly updated, and by the latest by 31 March each year.	
183.		Amendment 46 Article 10 – paragraph 4		
184.	4. By 31 March each year, Member States shall submit the lists referred to in paragraph 3 to the Commission, together with the address of the website where those lists have been published. The Commission shall publish a link to those website addresses on its official webpage.	4. By 31 <i>May</i> each year, Member States shall submit the lists referred to in paragraph 3 to the Commission, together with the address of the website where those lists have been published. The Commission shall publish a link to those website addresses on its official webpage.	4. By 31 March each year, the Member States States' designated authorities shall submit notify the lists referred to in paragraph 3 to the Commission, together with the address of the website where those lists have that list has been published. The Commission shall publish a link to those website addresses on its official webpage.	B - <u>Pres. proposes to accept EP amendment.</u>
185.	<i>Article 11</i> <i>Certification of eFTI platforms</i>		<i>Article 11</i> <i>Certification of eFTI platforms</i>	

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186.	1. Upon request of an eFTI platform developer conformity assessment bodies shall assess the compliance of the eFTI platform with the requirements laid down in Article 8(1). If the assessment is positive, a compliance certificate shall be issued. If the assessment is negative, the compliance assessment body shall inform the applicant why the platform does not comply with those requirements.		1. Upon request of an eFTI platform developer, conformity assessment bodies shall assess the compliance of the eFTI platform with the requirements laid down in Article 8(1). If the In case of a positive assessment is positive , a compliance certificate shall be issued. If the assessment is negative, the compliance econformity assessment body shall inform provide the necessary justification to the applicant why the platform does not comply with those requirements.	B
187.		Amendment 47 Article 11 – paragraph 1 a (new)		
188.		<i>1a. Certification shall be performed in an independent manner to avoid distortions of competition. Compliance shall be ensured with existing, standardised platforms identified in international conventions that are applicable in the Union.</i>		B <u>EP to provide clarifications.</u> <u>First part covered by other EU legislation (Reg. 765/2008, see reference in this proposal: Article 10, line 180).</u> <u>Second part of EP amendment does not seem feasible; as far</u>

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				<u>as the PCY is aware, there are no platforms identified in international conventions. However, the interoperability with existing systems, and in particular as developed in relation to international conventions, is covered in GA under recital 11 (see line 33) and Art. 7(2) (see lines 131-133).</u>
189.		Amendment 48 Article 11 – paragraph 1 b (new)		
190.		<i>1b. Existing IT systems, that are currently used by economic operators in the transport sector to provide regulatory information and that meet the functional requirements laid down in Article 8(1), shall be certified as eFTI-platforms.</i>		B <u>Already covered by recital 11 in line 33.</u>
191.	2. Conformity assessment bodies shall maintain an up to date list of certified eFTI platforms and of those that received a negative assessment. The updated list shall be transmitted to the competent		2. Conformity assessment bodies shall maintain an up to date list of certified eFTI platforms they have certified and of those that received a negative assessment. The updated for which they withdrew	B

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	authorities concerned each time a certificate or a negative assessment is issued.		or suspended the certification. They shall make this list shall be transmitted publicly available on their website and shall communicate the link to the that website address to the designated competent authorities concerned each time a certificate or a negative assessment is issued. authority referred to in Article 10(3).	
192.	3. Information made available to competent authorities by means of a certified eFTI platform shall be accompanied by a certification mark.		3. Information made available to competent authorities by means of a certified eFTI platform shall be accompanied by a certification mark.	
193.	4. The eFTI platform developer shall apply for a reassessment of its certification if the technical specifications adopted in the implementing acts referred to in Article 7(2) are revised.		4. The eFTI platform developer shall apply for a reassessment of its certification if the technical specifications adopted in the implementing acts referred to in Article 7(2) are revised.	
194.	5. The Commission is empowered to adopt delegated acts in accordance with Article 13 to supplement this Regulation with rules on certification, use of		5. The Commission is empowered to adopt delegated acts in accordance with Article 13 to supplement this Regulation with rules on certification, and the use	A

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	the certification mark and renewal of the certification of eFTI platforms.		of the certification mark and , including on the renewal, suspension and withdrawal of the certification of eFTI platforms.	
195.	<i>Article 12 Certification of eFTI service providers</i>		<i>Article 12 Certification of eFTI service providers</i>	
196.	1. Upon request of an eFTI service provider, a conformity assessment body shall assess the compliance of the eFTI service provider with the requirements laid down in Article 9(1). If the assessment is positive, a compliance certificate shall be issued. If the assessment is negative, the compliance assessment body shall inform the applicant why the provider does not comply with those requirements.		1. Upon request of an eFTI service provider, a conformity assessment body shall assess the compliance of the eFTI service provider with the requirements laid down in Article 9(1). If the In case of a positive assessment is positive , a compliance certificate shall be issued. If the assessment is negative, the compliance conformity assessment body shall inform provide the necessary justification to the applicant why the provider does not comply with those requirements.	A
197.	2. Conformity assessment bodies shall maintain an up to date list of the certified eFTI service providers and of those that received a negative assessment.		2. Conformity assessment bodies shall maintain an up to date list of the certified eFTI service providers they have certified and of those that received a negative	A

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	The updated list shall be made available to the competent authorities concerned each time a certificate or a negative assessment is issued.		assessment. The updated for which they withdrew or suspended the certification. They shall make this list shall be made publicly available on their website and shall communicate the link to the that website address to the designated competent authorities concerned each time a certificate or a negative assessment is issued. authority referred to in Article 10(3).	
198.	3. The Commission is empowered to adopt delegated acts in accordance with Article 13 to supplement this Regulation with rules on certification of eFTI service providers.		3. The Commission is empowered to adopt delegated acts in accordance with Article 13 to supplement this Regulation with rules on certification of eFTI service providers-, including on the renewal, suspension and withdrawal of the certification.	A
199.	CHAPTER IV DELEGATIONS OF POWER AND IMPLEMENTING PROVISIONS		CHAPTER IV DELEGATIONS OF POWER AND IMPLEMENTING PROVISIONS	
200.	<i>Article 13 Exercise of the delegation</i>		<i>Article 13 Exercise of the delegation</i>	

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201.	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.	
202.		Amendment 49 Article 13 – paragraph 2		
203.	2. The power to adopt delegated acts referred to in Article 2, Article 11(5) and Article 12(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].	2. The power to adopt delegated acts referred to in Article 2, Article 7, Article 8(2), Article 9(2) , Article 11(5) and Article 12(3) shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Regulation].	2. The power to adopt delegated acts referred to in Article 2, Article 11(5) and Article 12(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation] period of five years from [date of entry into force of this Regulation] . The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension no later than three months before the end of each period.	C -linked to IAs and DAs

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204.		Amendment 50 Article 13 – paragraph 3		
205.	3. The delegation of power referred to in Article 2, Article 11(5), Article 12(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the 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.	3. The delegation of power referred to in Article 2, Article 7, Article 8(2), Article 9(2) , Article 11(5), Article 12(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 2, Article 11(5), Article 12(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the 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.	C
206.		Amendment 51 Article 13 – paragraph 4		
207.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April	4. Delegated acts adopted in accordance with Article 2 shall apply from one year after their entry into force.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April	C - linked to timelines and period of application. <u>Keep GA.</u>

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	2016.		2016.	
208.		Amendment 52 Article 13 – paragraph 4 a (new)		
209.		<i>4a. Before adopting a delegated act, the Commission shall ensure the consultation of the stakeholders concerned and their representative bodies in the appropriate fora, namely via the group of experts established by Commission Decision C(2018) 5921final of 13.09.2018 ('Digital Transport and Logistics Forum').</i>		B <u>Consulting experts in principle acceptable, formulation and whether this should be a recital instead to be discussed.</u>
210.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
211.	6. A delegated act adopted pursuant to Article 2, Article 10(5) and Article 11(3) shall enter into force only if no objection has been expressed either by the European Parliament or the		6. A delegated act adopted pursuant to Article 2, Article 10 11(5) and Article 11 12(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council	A

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA-PROV(2019)0139	General approach doc. ST 9181/19	Compromise proposal by the Presidency / remarks
	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 of 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 of the Council.	
212.		Amendment 53 Article 14		
213.	<i>Article 14</i> <i>Committee procedure</i>	<i>deleted</i>	<i>Article 14</i> <i>Committee procedure</i>	C
214.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	<i>Deleted</i>	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	C
215.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	<i>deleted</i>	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	C
216.	CHAPTER V		CHAPTER V	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA-PROV(2019)0139	General approach doc. ST 9181/19	Compromise proposal by the Presidency / remarks
	FINAL PROVISIONS		FINAL PROVISIONS	
217.	<i>Article 15 Review</i>		<i>Article 15 Review</i>	
218.		Amendment 54 Article 15 – paragraph 1		
219.	1. By [five years from the date of application of this Regulation] at the latest the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee.	1. By ... [<i>three</i> years from the date of application of this Regulation] at the latest the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. <i>This evaluation shall in particular examine the possibility of extending the scope of this Regulation to certain business-to-business information that is necessary to prove compliance with the relevant requirements in the Union legal acts governing the transport of goods in accordance with Title VI of Part Three of the Treaty.</i>	1. By [five years from the date of application of this Regulation] at the latest the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee.	B <u>EP to provide clarification.</u>
220.	2. Member States shall provide the Commission with the		2. Member States shall provide the Commission with the necessary	A

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA-PROV(2019)0139	General approach doc. ST 9181/19	Compromise proposal by the Presidency / remarks
	information necessary for the preparation of that Report.		information necessary set out in Article 16 for the preparation of that Report.	
221.	<i>Article 16 Monitoring</i>		<i>Article 16 Monitoring</i>	
222.	The Member States shall provide the following information to the Commission every two years and for the first time by [two years from the date of application of this Regulation] at the latest:		The Member States shall provide the following information to the Commission every two five years and for the first time by [two three years from the date of application of this Regulation] at the latest:	B
223.	1. the number of competent authorities which have implemented measures to access and process information made available by economic operators concerned in accordance with Article 4(2);		<i>Deleted</i>	
224.	2. the number of economic operators concerned which have made regulatory information available to the Member State's competent authorities in accordance with Article 4(1), broken down by transport mode.		2. based on the operation logs referred to in Article 8(1)(e) and 8(1)(fa), the number of economic operators concerned which have made times the competent authorities accessed and processed the regulatory information made available to the	B

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA- PROV(2019)0139	General approach doc. ST 9181/19	Compromise proposal by the Presidency / remarks
			Member State's competent authorities electronically by the economic operators concerned in accordance with Article 4(1), broken down by transport mode.	
225.	The information shall be provided for each year covered by the reporting period.		The information shall be provided for each year covered by the reporting period.	
226.			<i>Article 16a Transitional measures</i>	B
227.			Without prejudice to the date of application provided for in Article 17, Member States shall notify national law to the Commission in accordance with Article 1(3) by [the date specified in that provision] and the Commission shall adopt the first implementing acts referred to Articles 7(2), second subparagraph, 8(2) and 9(2) by [the date specified in those provisions].	B
228.	<i>Article 17 Entry into force and application</i>		<i>Article 17 Entry into force and application</i>	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA-PROV(2019)0139	General approach doc. ST 9181/19	Compromise proposal by the Presidency / remarks
229.	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> .	
230.		Amendment 55 Article 17 – paragraph 2		
231.	It shall apply from [OP insert four years from the entry into force].	It shall apply from ... [<i>three</i> years from the entry into force of this Regulation].	It shall apply from [OP insert four six years from the entry into force].	C - linked to timelines and period of application.
232.	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.	
233.	Done at Brussels,		Done at Brussels,	
234.	For the European Parliament		For the European Parliament	
235.	The President		The President	
236.	For the Council		For the Council	
237.	The President		The President	