



Brussels, 15 October 2019
(OR. en)

**Interinstitutional File:
2018/0140(COD)**

10296/3/19
REV 3

LIMITE

**TRANS 380
MAR 121
MI 521
COMER 86
CYBER 206
ENFOCUSTOM 118
DATAPROTECT 169
CODEC 1231**

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	9060/1/18 REV 1 + ADD 1
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 21 October 2019, delegations will find attached a Presidency proposal for the mandate for the second trilogue with the European Parliament scheduled for 7 November 2019. The draft mandate is planned to be submitted to Coreper on 25 October 2019.

Points on which the technical meetings have found tentative agreement are marked in **green** in the fourth column of the annex. These are subject to confirmation by both the Parliament and the Council.

Delegations' attention is drawn in particular to those lines on which the Presidency seeks further compromises. These have been are marked with 'Proposed compromise' in **orange** (on technical issues) or in **red** (on major policy questions) in the fourth column.

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(2019) 0139	General approach doc. ST 9181/19	Compromise proposals 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,	B Tentatively agreed, subject to positive JURI opinion.
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 ,	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	<p>_____</p> <p>(1) OJ C , , p. .</p>		<p>_____</p> <p>(1) OJ C , , p. .</p>	
6.	<p>Having regard to the opinion of the Committee of the Regions²,</p> <p>_____</p> <p>(2) OJ C , , p. .</p>		<p>Having regard to the opinion of the Committee of the Regions²,</p> <p>_____</p> <p>(2) OJ C , , p. .</p>	
7.	<p>Acting in accordance with the ordinary legislative procedure,</p>		<p>Acting in accordance with the ordinary legislative procedure,</p>	
8.	Whereas:			
9.		Amendment 1 Recital 1		
10.	(1) The efficiency of freight	(1) The efficiency of freight	(1) The efficiency of freight	A

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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.	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.	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.	Tentatively agreed.
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 capabilities of the authorities and to encourage the digitalisation of the freight transport and logistics.</i>		B <u>Proposed compromise:</u> The aim of this Regulation is to encourage the digitalisation of freight transport and logistics to reduce administrative costs, improve enforcement capabilities of the authorities, and enhance the efficiency and sustainability of transport.
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,	(2) The movement of goods is accompanied by a large amount of information which is still exchanged in paper format,	(2) The movement of goods, including waste , is accompanied by a large amount of information which is still exchanged in paper	A <u>Proposed compromise:</u>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	among businesses and between businesses and the public authorities. The use of paper documents represents a significant administrative burden for logistic operators.	among businesses and between businesses and the public authorities. The use of paper documents represents a significant administrative burden <i>and an additional cost</i> for logistic operators <i>and related industries (such as trade and manufacturing), in particular for SMEs, and has a negative impact on the environment.</i>	format, among businesses and between businesses and the public competent authorities. The use of paper documents represents a significant administrative burden for logistic operators.	(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 competent authorities. The use of paper documents represents a significant administrative burden for logistic operators 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.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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</i>		B See proposed compromise in line 47.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		<i>operators being checked, they 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	(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	(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	A <u>Proposed compromise</u> (to be added at the end of the paragraph, on Council text): It will also lead to significant administrative cost savings for economic operators, and particularly SMEs, which constitute the largest majority of transport and logistics companies within the EU.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	the Union.	the Union <i>and will lead to an increase in administrative costs, especially for SMEs.</i>	uniform and simplified business-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</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.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		<i>should accept electronic transport documents in general, 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		(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	A EP tentatively accepts Council AM as regards the use of 'competent' authorities, subject to confirmation by the legal-linguistic experts. <u>Proposed compromise</u> for new sentence on relevant international conventions: The obligation for competent authorities to accept information made available electronically by

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	Three of the Treaty requires the provision of regulatory information identical, in whole or in part, to information to be provided under such Union legislation.		of Part Three of the Treaty law requires the provision of regulatory information identical, in whole or in part, to information to be provided under such Union legislationacts.	the economic operators should also apply whenever Union acts or Member States' law require information that is also referred to in relevant international conventions such as the conventions governing the international contracts of carriage in the different transport modes, and in particular Convention on the Contract for the International Carriage of Goods by Road (CMR) , Convention concerning International Carriage by Rail (COTIF) , Resolution 672 on E-air Waybill , Montreal Convention , and Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI).
22.		Amendment 7 Recital 5 a (new)		
23.		<i>(5a) In order to reduce administrative burden and to free up scarce enforcement capacity,</i>		C - linked to mandatory vs. voluntary application.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		<i>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>		
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 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	(6) Since this Regulation is only intended to facilitate and encourage the provision of information between economic operators and administrative bodies , 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. Since this Regulation is intended to allow compliance with regulatory	(6) Since this Regulation is only intended to facilitate the provision of information, 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. While this Regulation is intended to allow compliance with regulatory information requirements through electronic means rather than by means of paper documents, it	B <u>Proposed compromise:</u> Since this Regulation is only intended to facilitate and encourage the provision of information between economic operators and administrative bodies, specifically, by electronic means, it should not affect the provisions of Union or national law determining the content of regulatory information and, in particular,

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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.	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 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,</i>	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 of 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 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	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 of Regulation (EC) 1013/2006 ³ the provisions containing procedural requirements for the shipments

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		<i>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>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> <hr/> <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, 12.7.2006, p. 1).</p> <p>² Regulation (EU)</p>	as of waste and 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 952/2013 ⁴ or in implementing or delegated acts adopted under its terms or in Regulation (EU) no. XXX/2019 on EMSWe.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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 authorities.		(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 regulatory information, and. This	C - linked to IA vs DA issue. <u>Proposed compromise:</u> 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. <u>New recital (8a):</u> (8a) Those common specifications should ensure, in the first place, data

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			<p>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.</p>	<p>interoperability, by establishing a single comprehensive data set to be used for the electronic communication of the information. 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.</p> <p><u>New recital (8b):</u></p> <p>(8b) Those specifications should also determine common procedures and detailed rules for access and processing of that information by the competent authorities, including any related communication between the authorities and the economic operators, such as requests for additional information,</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				necessary for authorities to carry out their respective regulatory enforcement competences in accordance with the relevant Union and Member States acts.
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 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.	(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 models should also be taken into account , as well as the principles and recommendations set out in the European Interoperability Framework ³ , which provides an approach to the delivery of European digital public services commonly agreed by the Member	(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 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.	B It is proposed to accept a reference to the GDPR and the AM related to the engagement of stakeholders. Reference to the GDPR included in line 31, recital 10. Reference to stakeholder engagement included in line 44. Reference to existing systems included in line 31.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	<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>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> <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>(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>	
30.			<p>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</p>	<p>B</p> <p>Tentatively agreed.</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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.	
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 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		(10) This Regulation should establish the functional requirements applicable to information and communication technology (ICT) based platforms (eFTI platforms) which could should be used by economic 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	B - linked to mandatory application. <u>Proposed compromise:</u> This Regulation should establish the functional requirements applicable to information and communication technology (ICT) based platforms (eFTI platforms) which should be used by economic operators to make available the regulatory freight transport information in

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	services providers).		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.	electronic format (eFTI) to the competent authorities 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 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; that the competent authorities can have immediate access to that data in accordance to their respective regulatory enforcement competences; that the processing of personal data respects the provisions of Regulation (EU) 2016/679; and that the processing of sensitive commercial information respects

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				<p>the confidentiality of that information.</p> <p>Comment: This covers EP amendment on GDP in line 29 and ref. authorities' access in line 154.</p> <p><u>Proposed compromise</u> for new recital 10a (related to new paragraph in Article 8, see drafting suggestion in line 164):</p> <p>(10a) In adopting those specifications, the Commission should ensure the interoperability of the eFTI platforms, to facilitate data exchange between these platforms and allow economic operators to use any platform of their choice. In order to facilitate implementation and minimize costs, the Commission should also take into account relevant technical solutions and standards used by relevant existing ICT systems. At the same time, the Commission should ensure that</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				those specifications remain technologically neutral to the largest extent possible, in order to encourage continuous innovation and to avoid technological lock-in.
32.		Amendment 10 Recital 11		
33.	<p>(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 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> <p>⁴ Regulation (EC) No 765/2008 of</p>	<p>(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 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</i></p>	<p>(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 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 Council⁵. ICT systems already in use should also be eligible to apply for certification under this certification system, provided they comply with the</p>	<p>B</p> <p>See relevant suggestions in lines 31 (Recitals) and 164 (Article 8(2)).</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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><i>similar result as the certification system while substantially bringing down costs for economic operators and Member States.</i></p> <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>requirements for eFTI platforms laid down in this Regulation.</p> <p>_____</p> <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>	
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	<p>B</p> <p>Second part of Council AM tentatively agreed.</p> <p>It is proposed to keep GA also for the first part of the AM.</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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.	
35.		Amendment 11 Recital 12		
36.	(12) In order to ensure uniform conditions for the implementation of the obligation to accept the 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 Council ⁵ .	<i>deleted</i>	(12) In order to ensure uniform conditions for the implementation of the obligation to accept the 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 Council ⁵ .	C - linked to IAs / DAs

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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).		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).	
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 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	<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 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	C - linked to IAs / DAs <u>Proposed compromise:</u> (13) In particular, implementing powers should be conferred on the Commission to establish 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,

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	electronically, including detailed rules and technical specifications.		rules and technical specifications.	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: - 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		(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: - 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	A <u>Proposed compromise</u> (add new indent): (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: - to amend Part B of Annex I, in order to incorporate the lists of regulatory information

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	<p>States in accordance with this Regulation;</p> <ul style="list-style-type: none"> - 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; <p>to supplement certain technical aspects of this Regulation, namely as regards the rules for certification of eFTI platforms and</p>		<p>in accordance with this Regulation;</p> <ul style="list-style-type: none"> - 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 law 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; - to supplement certain technical aspects of this Regulation, namely as regards the rules for certification of eFTI platforms and of eFTI services providers. 	<p>requirements in Member States' legislation notified to the Commission by the Member States in accordance with this Regulation;</p> <ul style="list-style-type: none"> - 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 law 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; <p><u>- to establish a common data set and subsets in relation to the respective regulatory</u></p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	eFTI services providers.			<u>information requirements covered by this Regulation;</u> - 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		(16) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those	<u>Drafting proposal</u> (incorporating EP AMs in lines 29 and 209): Furthermore, the engagement of all relevant stakeholders in the

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	<p>consultations be conducted in accordance with the principles laid down in the Interinstitutional 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>consultations be conducted in accordance with the principles laid down in the Interinstitutional 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>appropriate fora, such as the group of experts established by Commission Decision C(2018) 5921 ('Digital Transport and Logistics Forum') is important in the development and preparation of those specifications. [<i>Decision C(2018) 5921final of 13.09.2018 – full reference should be placed in footnote</i>]</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</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</p>	<p>A</p> <p>Tentatively agreed, subject to confirmation by the LL experts.</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	sufficiently achieved by the Member States but can rather, by reason of the need to establish 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.		electronically, cannot be sufficiently achieved by the Member States but can rather, by reason of the need to establish 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>⁷ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on</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>⁷ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the</p>	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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).		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).	
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.	<p><u>Proposed compromise</u> (incorporating EP AM 4, line 16): 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. Where appropriate, the Commission should assess the need to amend this Regulation and, where appropriate, put forward a legislative proposal.</p> <p>(19a) Effective and efficient enforcement of the rules is a</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				<p>prerequisite for fair competition in the internal market. Further use of digital tools can reduce administrative burdens on transport operators and in particular SMEs, improve enforcement by better targeting high-risk transport operators and detecting fraudulent practices. This digital, “smart” enforcement necessitates that all competent authorities have direct and real-time access to relevant regulatory information in electronic form. To this end, and in accordance with the “digital by default” principle¹, the use of electronic means should become the predominant way to exchange regulatory information between the economic operators and the competent authorities.</p> <p>Therefore, the Commission should consider in its review whether the obligation to use electronic means for making available regulatory information</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				<p>to the authorities, would be a necessary and proportionate measure to reach those objectives. With a view to improve the authorities' enforcement capabilities and minimise costs for both authorities and economic operators, the Commission should also consider further measures such as enhanced interoperability of and a common access point to ICT systems and platforms used for recording and processing regulatory information as provided for in different EU transport legal acts.</p> <p>¹ [Insert reference to COM eGovernment communication & ministerial declaration signed in Tallinn by ministers on 6.10.2017] (FOR REFERENCE: Tallinn Declaration, page 3: "For the principles of digital-by-default, inclusiveness and accessibility, we will: ensure that European</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				citizens and businesses may interact digitally with public administration, if they choose to do so and whenever feasible and appropriate from a costbenefit and user-centricity perspective;[...]”)
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.	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 <u>Proposed compromise:</u> At the same time, the Commission should start immediately to work on the necessary delegated and implementing acts, in order to ensure the timely adoption of the implementation specifications and, when possible, in advance of the respective deadlines set in this Regulation. It is essential that the Member States and the economic operators have enough time to take the necessary measures in compliance with this Regulation.
51.	(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 Council ⁸		(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 Council ⁸ and	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	<p>and delivered an opinion on xx XXX 20xx⁹,</p> <p>_____</p> <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 movement of such data (OJ L 8, 12.1.2001, p. 1).</p> <p>⁹ OJ C....</p>		<p>delivered an opinion on xx XXX 20xx⁹,</p> <p>_____</p> <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 movement of such data (OJ L 8, 12.1.2001, p. 1)</p> <p>⁹ OJ C....</p>	
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		

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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:	B See drafting suggestions in lines 31 (Recitals and new Recital 10a) and 164 (Article 8(2)).

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 ² competent authorities are required to accept regulatory information when made available electronically by economic operators concerned;	B - linked to mandatory vs voluntary application.
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>		C - linked to mandatory vs voluntary application. See lines 47 and 231 for compromise.
61.	b) lays down rules for the provision of services related to making regulatory information		(b) lays down rules for the provision of services related to making regulatory information	C Linked to mandatory vs.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	available electronically by the economic operators concerned.		available electronically by the economic operators concerned to the competent authorities.	voluntary application; to be discussed together with that topic.
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
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	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	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.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	<p>of waste, 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 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>requirements for the transport of goods set out in international 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>		

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
66.			<ul style="list-style-type: none"> - EEC Council Regulation No. 11⁶, article 6(1); - Directive 92/106/EEC⁷, article 3; - Regulation (EC) No 1072/2009⁸, article 8(3); - Regulation (EC) 1013/2006⁹, article 16(c) and article 18(1); - in respect of of Directive 2008/68/EC¹⁰, 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 Directive¹¹. 	C

⁶ 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).

⁷ 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).

⁸ 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).

⁹ 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).

¹⁰ 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).

¹¹ 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.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
67.			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 and the corresponding regulatory information requirements are listed in part A of Annex I.	C
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/EU¹² or to Regulation (EC) No 300/2008¹³. Those delegated or implementing acts to which this Regulation applies and the corresponding regulatory	C

¹² 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).

¹³ 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).

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			information requirements are shall be listed in part A of Annex I. This Regulation also applies to	
69.	The national legislation and the corresponding regulatory information requirements referred to in the second subparagraph shall be listed in part B of Annex I, in accordance with the procedure set out in Article 2(b).		(c) regulatory information requirements set out in national law and listed in Part B of Annex I.	C
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		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	C

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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.		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.	
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	C

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			paragraphs 2(a) and 2(b).	
74.			Member States shall make such notifications within one month from the adoption of such provision.	B Tentatively agreed.
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 to shall adopt delegated acts in accordance with Article 13, concerning the amendment of amending Annex I in order to:	B Tentatively agreed.
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 Tentatively agreed.
78.		Amendment 21 Article 2 – paragraph 1 – point b a		

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		(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 - scope
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 - scope

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 Tentatively agreed, subject to confirmation by LL experts.
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,	B

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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;	EP in principle willing to accept Council AM, subject to further analysis of the elements of this definition.
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 EP reflects on first Council AM. Deletion of 'public' in principle acceptable subject to confirmation by the LL experts.
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 Tentatively agreed (but to be seen together with changes to the annex).

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
89.			(3b) ‘eFTI common data set’ means the comprehensive set of 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;	B Tentatively agreed.
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 Tentatively agreed.
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;	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
92.			(4a) ‘operation log’ means an automated record of electronic processing of eFTI.	B Tentatively agreed.
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;	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 economic operators concerned on the basis of a contract;		8) ‘eFTI service provider’ means any natural or legal person which provides an eFTI service to 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		9) ‘economic operator concerned’ means any transport or logistic operator, or any other natural or legal person, who is responsible for making regulatory	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	information available to the competent authorities in accordance with the relevant regulatory information requirement;		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 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		12) 'conformity assessment body' means a conformity assessment body within the 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.	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	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.	B <u>Proposed compromise:</u> 'shipment' means the transport of a determined set of goods, including waste, which may consist of one or more containers, packages, or pieces, 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.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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</i> concerned	Tentatively agreed, subject to LL revision.
105.			For the purposes of Article 5(1) economic operators shall comply with the requirements set out in this Article.	C - Linked to mandatory vs voluntary.
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	Economic operators concerned <i>shall</i> make regulatory information available electronically. They shall do so on the basis of data processed in a certified eFTI platform, <i>in accordance with</i> <i>Article 8</i> , and, if applicable, by a certified eFTI service provider, <i>in</i> <i>accordance with Article 9</i> . The	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	C - linked to mandatory vs voluntary application.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	available in machine-readable format and, at the request of the competent authority, in human-readable format.	regulatory information shall be made available in machine-readable format and, at the request of the competent authority, in human-readable format.	made available by the economic 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 See drafting suggestions in lines 31 (Recitals and new Recital 10a) and 164 (Article 8(2)).
110.	Information in human-readable format shall be made available on		Information in human-readable format shall be made available on	B

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	the spot, on the screen of electronic devices owned by the economic operator concerned or by the competent authorities.		the spot, on the screen of electronic devices owned by the economic 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 Tentatively agreed; EP accepts Council AM.
114.	Member States' competent authorities shall accept regulatory information made available electronically by the economic operators concerned in accordance		1. Member States' competent competent authorities shall accept regulatory information made available electronically by the economic operators concerned in	A Tentatively agreed, subject to confirmation by LL experts.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	with Article 4.		accordance with Article 4.	
115.			Where the economic operator concerned has made 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.	B Tentatively agreed.
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.	C - see also lines 60 and 119

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 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.	C - linked to the issue of IAs and DAs
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. EP to provide clarifications on this amendment.
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		The competent authorities, eFTI services providers and economic operators concerned shall take	B Tentatively agreed.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	measures to ensure confidentiality of commercial information processed and exchanged in accordance with this Regulation.		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 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>	Replaced by compromise on line 125
123.		Amendment 28 Article 7 – paragraph 1 – introductory part		
124.	The Commission shall establish the following by means of implementing acts:	The Commission <i>is empowered to adopt delegated acts in accordance with Article 13, in order to</i> establish the following:	1. The Commission shall establish the following , by means of implementing acts:	C Replaced by compromise on lines 125 and 126.
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		(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	C Presidency proposes to include common data set (art 7(a) in GA) in delegated acts, as it more or less automatically follows from the regulatory information

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	common data set and subsets;		definitions specifications for each data element included in the common data set and subsets;	<p>in Union acts, that are now referred to in article 1 (scope). In addition, when adopting delegated act to include new provisions in Annex I, it is necessary to change the dataset, so having the same process for both Annex I and the dataset would streamline the procedures. New article 7 and 7a (line 126) are proposed to take into account the change.</p> <p><u>Proposed compromise:</u></p> <p>Article 7 Common eFTI data set</p> <p>1. The Commission shall, by means of delegated acts 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),</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				<p>including corresponding specifications for each data element included in the common data set and subsets;</p> <p>2. In adopting the delegated acts referred to in paragraph 1, the Commission shall:</p> <p>a) take into account relevant international conventions and Union acts; and</p> <p>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.</p> <p>3. The first such delegated act covering all elements referred to in paragraph 1 shall be adopted no later than [3 years after the</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				date of entry into force of this Regulation].
126.	b) common procedures and detailed rules, including common technical specifications, for competent authorities' access to eFTI platforms, including procedures for processing of regulatory information made available electronically by the economic operators concerned.		(b) define common procedures and detailed rules, including common technical specifications, for competent authorities' access to eFTI platforms, including procedures for processing of regulatory information made available electronically by the economic operators concerned.	<p>Presidency proposes to keep common procedures in implementing acts, as in GA, as they are there to ensure uniform application of the rules. Current art 7(b) would be moved to new article 7a to take into account the proposed changes on line 126.</p> <p><u>Proposed compromise:</u></p> <p>Article 7a</p> <p>Common procedures and rules for access</p> <p>1. The Commission shall, by means of implementing acts define common procedures and detailed rules, including</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				<p>common technical specifications, for competent authorities' access to eFTI platforms, including procedures for processing of regulatory information and for communication between authorities and economic operators in relation to that information.</p> <p>2. In adopting the implementing acts referred to in paragraph 1, the Commission shall seek to enhance the efficiency of the administrative procedures and minimise compliance costs both for the economic operators and authorities concerned.</p> <p>3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2). The</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				first such implementing act covering all elements referred to in paragraph 1 shall be adopted no later than [3 years after the date of entry into force of this Regulation].
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>		Replaced by compromise on lines 125 and 126. Caters for EP AM on two-way communication on line 119.
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>		Replaced by compromise on lines 125 and 126.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
131.			2. In adopting the implementing acts referred to in paragraph 1, the Commission shall:	Replaced by compromise on lines 125 and 126.
132.			a) take into account relevant international conventions and Union acts;	Replaced by compromise on line 125.
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	Replaced by compromise on lines 125.
134.			c) seek to enhance the efficiency of the administrative procedures and minimise compliance costs both for the economic operators and authorities concerned.	Replaced by compromise on line 126.
135.		Amendment 31 Article 7 - paragraph 2		

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 paragraph 1 shall be adopted no later than [3 years after the date of entry into force of this Regulation].	C Covered by lines 125-126.
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	1. <i>The eFTI platforms shall</i>	1. The eFTI platforms used for	B

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	processing regulatory information shall provide functionalities that ensure that:	<i>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 that:	processing regulatory information shall provide functionalities that ensure that:	As for interoperability, see drafting suggestions in lines 31 (Recitals) and 164 (Article 8(2)).
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 ¹⁴ ;	B Council cannot accept 'shall' or 'have to' in this paragraph.
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 See line 143.
146.		Amendment 35 Article 8 – paragraph 1 – point b a (new)		

¹⁴ 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).

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 As for interoperability, see drafting suggestions in lines 31 (Recitals) and 164 (Article 8(2)).
148.			(bb) economic operators concerned can make the information available to the competent authorities in accordance with Article 4.	B
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 shipment of a determined set of goods to which that data is 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	A Tentatively agreed, pending agreement on line 101.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			as a unique reference identifier;	
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 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;		(e) all data processing operations are is duly recorded through operation logs in order to allow, at a minimum, the identification of 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;	A Change proposed by the EP LS. Provisionally accepted, subject to confirmation by LL experts: all data processing is duly recorded in operation logs in order to allow, at a minimum, the identification of 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		

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		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.
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 information requirements; an appropriate period of time, in accordance with the relevant regulatory information requirements;	B <u>Proposed compromise:</u> (f) data can be archived and remain accessible for the competent authorities in accordance with the Union and national law laying down the respective regulatory information requirements.
156.			(fa) the operation logs referred to in point (e) are archived and remain accessible for the	B Covered by compromise in line

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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.	155. EP tentatively agrees.
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 languages of the Union.	(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-official in a Member State</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 any of the official languages of the Union as provided by the act laying down the respective regulatory information requirements .	B

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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>		B EP AM covered by the definition 3a and 3b.
163.		Amendment 40 Article 8 – paragraph 2		
164.	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	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 specifications regarding the requirements laid down in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred	C- linked IAs / DAs and time periods. <u>Suggested compromise</u> (mirroring Council AM in lines 131-134). See also more detailed language in line 31 (corresponding Recital):

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	14(2).		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.]	In adopting those specifications, the Commission shall: <ul style="list-style-type: none"> - seek to ensure the interoperability of the eFTI platforms; - take into account relevant existing technical solutions and standards; - seek to ensure that those specifications remain, to the largest extent possible, technologically neutral.
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		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	A Tentatively agreed.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	requirements;		information requirements;	
168.		Amendment 41 Article 9 – paragraph 1 – point a a (new)		
169.		<i>(aa) data is interoperable</i>		B See relevant changes in lines 31 (Recitals) and 164 (Article 8(2)).
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 four years , in accordance with the relevant regulatory information requirements;	b) data is stored and accessible for an appropriate specified in accordance with the relevant the legislation laying down the respective regulatory information requirements;	B Covered by compromise in line 155.
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	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 competent authorities by an	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	B Tentatively agreed.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	concerned;	economic operator concerned;	concerned free of any charges or fees;	
174.	d) data is appropriately secured, including against unauthorised or unlawful processing and against accidental loss, destruction or damage.		d) data is appropriately secured, including against unauthorised or 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	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 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.		1. Conformity assessment bodies shall be accredited according to Regulation (EC) No 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 Tentatively agreed.
181.		Amendment 45 Article 10 – paragraph 3		

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 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.	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 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 May each year.	3. Each Member States shall designate an authority that shall maintain an updated up to date list of the accredited conformity assessment bodies, and of the eFTI platforms and the eFTI service 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.	B Tentatively agreed; EP accepts Council AM.
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	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	4. By 31 March each year, the Member StatesStates' 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	B Tentatively agreed, EP accepts Council AM.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	link to those website addresses on its official webpage.	link to those website addresses on its official webpage.	published. The Commission shall publish a link to those website addresses on its official webpage.	
185.	<i>Article 11 Certification of eFTI platforms</i>		<i>Article 11 Certification of eFTI platforms</i>	
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 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. In case of a positive assessment is positive, a compliance certificate shall be issued. If the assessment is negative, the compliance assessment body shall inform provide the necessary justification to the applicant why the platform does not comply with those requirements.	B Tentatively agreed.
187.		Amendment 47 Article 11 – paragraph 1 a (new)		
188.		1a. Certification shall be performed in an independent manner to avoid distortions of		B First sentence covered by Reg. 765 of 2008, general EU

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		<i>competition. Compliance shall be ensured with existing, standardised platforms identified in international conventions that are applicable in the Union.</i>		provisions on certification. Ref. to this Regulation is covered by several lines (e.g.100 and 179). EP tentatively agrees to delete first sentence. As regards second sentence, see relevant changes in lines 31 and 164, wording to be confirmed.
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 See relevant changes in lines 31 (Recitals) and 164 (Article 8(2)).
191.	2. Conformity assessment bodies shall maintain an up to date list of certified eFTI platforms and of those that received a negative		2. Conformity assessment bodies shall maintain an up to date list of certified eFTI platforms they have certified and of those that	B Tentatively agreed.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	assessment. The updated list shall be transmitted to the competent authorities concerned each time a certificate or a negative assessment is issued.		received a negative assessment. The updated for which they withdrew or suspended the certification. They shall make this list publicly available on their website and shall communicate the link to the 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		5. The Commission is empowered to adopt delegated acts	A

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	acts in accordance with Article 13 to supplement this Regulation with rules on certification, use of the certification mark and renewal of the certification of eFTI platforms.		in accordance with Article 13 to supplement this Regulation with rules on certification, and the use of the certification mark and , including on the renewal, suspension and withdrawal of the certification of eFTI platforms.	Tentatively agreed.
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 Tentatively agreed.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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. The updated list shall be made available to the competent authorities concerned each time a certificate or a negative assessment is issued.		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 assessment. The updated for which they withdrew or suspended the certification. They shall make this list 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).	A Tentatively agreed.
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 Tentatively agreed.
199.	CHAPTER IV		CHAPTER IV	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	DELEGATIONS OF POWER AND IMPLEMENTING PROVISIONS		DELEGATIONS OF POWER AND IMPLEMENTING PROVISIONS	
200.	<i>Article 13</i> <i>Exercise of the delegation</i>		<i>Article 13</i> <i>Exercise of the delegation</i>	
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	C -linked to IAs and DAs

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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.	
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

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 2016.	4. Delegated <i>acts adopted</i> in accordance with <i>Article 2 shall apply from one year after their entry into force.</i>	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 2016.	C - linked to timelines and period of application.
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 See proposal in line 44 (Recitals) where EP AM is reproduced, slightly adapted.
210.	5. As soon as it adopts a		5. As soon as it adopts a	

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		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 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.		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 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.	A Tentatively agreed.
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

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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 FINAL PROVISIONS		CHAPTER V 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</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>Proposed compromise</u> (see also corresponding Recital in line 47): 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

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
		<i>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>		<p>on the main findings to the European Parliament, the Council and the European Economic and Social Committee. This report shall be accompanied by a Commission assessment of the need to amend this Regulation in particular focusing on:</p> <p>a) establishing the obligation for economic operators to make available electronically regulatory information to the authorities, in accordance with this Regulation;</p> <p>b) establishing further interoperability and interconnectivity between the eFTI environment and the different ICT systems and platforms used for recording and processing regulatory information as provided for in the different EU transport legal acts.</p> <p>This assessment shall be</p>

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
				accompanied, where appropriate, by a legislative proposal.
220.	2. Member States shall provide the Commission with the information necessary for the preparation of that Report.		2. Member States shall provide the Commission with the necessary information necessary set out in Article 16 for the preparation of that Report.	A Tentatively agreed.
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		<i>Deleted</i>	B Tentatively agreed.

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
	concerned in accordance with Article 4(2);			
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 Member State's competent authorities electronically by the economic operators concerned in accordance with Article 4(1), broken down by transport mode.	B Tentatively agreed.
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	B

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
			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].	
228.	<i>Article 17 Entry into force and application</i>		<i>Article 17 Entry into force and application</i>	
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 ... [three 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. <u>Compromise proposal:</u> It shall apply from [OP insert five years from the entry into force].

	COM proposal, COM(2018) 0279 final/2	European Parliament/ Plenary report P8_TA(2019) 0139	General approach doc. ST 9181/19	Compromise proposals by the Presidency / remarks
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	