



**COUNCIL OF
THE EUROPEAN UNION**

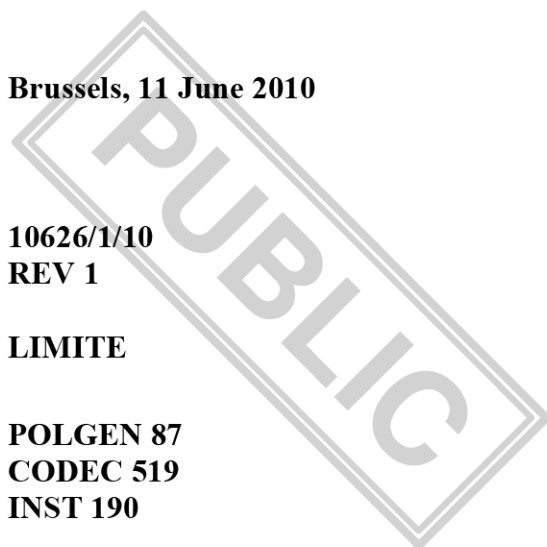
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NOTE

from :	Presidency
to :	General Affairs Council
No. Cion prop.	COM (2010) 119 final - 2010/0074 (COD)
Subject:	General approach for a regulation of the European Parliament and of the Council on the citizens' initiative

The Commission adopted on 31 March 2010 a proposal for a regulation of the Council and the EP setting out the procedures and conditions for the citizens' initiative. The proposal was submitted to the Council on 6 April.

The Council began the examination of the proposal in the Antici Group on 9 April. The group examined the proposal on three occasions and the results of the first round of discussions, identifying four key issues were presented to the Ministers (doc. 8796/10) at the meeting of the General Affairs Council in April. On the basis of the shared objective of the Council to reach a general approach by June 2009, the group continued the examination of the proposal. COREPER had a debate on the outstanding issues at its meeting on 19 May and tasked the Antici Group to finalise the general approach in view of the June General Affairs Council.

The discussions have brought the Council close to reaching a general approach. The main outstanding issue remains the question of registration and admissibility of a proposed initiative and whether these decisions should be taken in two or, in a single stage.

The Commission proposal foresees that a decision on the admissibility of a proposed initiative is taken at an intermediate stage – after 300.000 signatures have been collected from at least 3 Member States – before Member States are required to carry out checks (Article 8). As an additional safeguard, the proposal foresees an earlier filter at the time of registration (Article 4), which enables the Commission not to register initiatives which can be reasonably regarded as improper because they are abusive or devoid of seriousness and to reject the registration of initiatives that are manifestly against the values of the Union. During the discussions several Member States have suggested that the Commission should decide whether an initiative falls within the framework of its powers at the time of registration, before any signatures have been collected, thus, in essence, merging Articles 4 and 8.

COREPER has discussed the issue of registration and admissibility at its meeting of 9 June on the basis of a Presidency compromise proposal (doc. 10626/10). The Presidency proposed, on the one hand, lowering the threshold of the required signatures to 100.000 and, secondly, reinforcing the wording of Article 4(4) by adding that initiatives which are manifestly outside the scope of the Treaties should be rejected, while maintaining the Commission's two-stage approach.

This compromise proposal did not gather the necessary support either from Member States or from the Commission. The Presidency thus put forward in COREPER an alternative solution, namely, proposing the merging of Articles 4 and 8, whereby a decision on admissibility would be taken at the time of the registration of the proposed citizens' initiative.

The Presidency's revised proposal for a general approach on the Commission's proposal for a regulation on the Citizens' Initiative, following the COREPER discussion of 9 June, is annexed to this note.

UK, FR, MT have entered parliamentary reserves.

The additions to the original Commission proposal are indicated in **BOLD and UNDERLINE** and deletions are indicated in ~~STRIKETHROUGH~~.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the citizens' initiative

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 24,
first paragraph, thereof,
Having regard to the proposal from the European Commission,
Having regard to the opinion of the European Economic and Social Committee¹,
Having regard to the opinion of the Committee of the Regions²,
After having consulted the European Data Protection Supervisor³,
Acting in accordance with the ordinary legislative procedure,
Whereas:

- (1) The Treaty on European Union reinforces the citizenship of the Union and enhances further the democratic functioning of the Union by providing inter alia that every citizen shall have the right to participate in the democratic life of the Union and that not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.
- (2) The Treaty on the Functioning of the European Union provides that the European Parliament and the Council should adopt the provisions for the procedures and conditions required for such a citizens' initiative.
- (3) These procedures and conditions should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative.
- (4) They should also ensure that citizens of the Union are subject to similar conditions for supporting a citizens' initiative regardless of the Member State from which they come.

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C , , p. .

- (5) It is necessary to establish the minimum number of Member States from which citizens must come. In order to ensure that a citizens' initiative is representative of a Union interest, this number should be set at one third of Member States.
- (6) For that purpose, it is also appropriate to establish the minimum number of citizens coming from each of those Member States. In order to ensure similar conditions for citizens to support a citizens' initiative, these minimum numbers should be degressively proportional **as provided for in Article 14 (2) of the TEU with regard to the number of Members of the European Parliament per Member State.** to the size of each Member State. For the purpose of clarity they should be set out for each Member State in an Annex to the present Regulation.

For the purpose of the calculation of the minimum number of signatories in each Member State, the number of Members of the European Parliament for each Member State as set out in the draft Decision of the European Council on the composition of the European Parliament for the legislative period 2009-2014, approved politically by the European Parliament on 11 October 2007, and with one amendment by the European Council during the 2007 Intergovernmental Conference⁴, should be multiplied by a factor of 750.

For the purpose of clarity, these numbers should be set out for each Member State in an Annex to the present Regulation. The Commission should be empowered to amend this Annex in order to reflect the numbers contained in any future Decision of the European Council establishing the composition of the European Parliament in accordance with the second subparagraph of Article 14(2) TEU.

- (7) It is appropriate to fix a minimum age for supporting a citizens' initiative. This should be set as the age at which citizens are entitled to vote in the European Parliament elections.
- (8) In order to ensure coherence and transparency in relation to proposed citizens' initiatives, it should be mandatory to register such initiatives on a website made available by the Commission prior to collecting the necessary statements of support from citizens~~;~~. **It is appropriate to provide for an admissibility check of the proposed citizens' initiatives by the Commission before statements of support are collected. A proposed citizens' initiative should be considered admissible if it falls within the framework of the powers of the Commission and concerns a matter where a legal act of the Union can be adopted for the purpose of implementing the Treaties;** proposals that are abusive or devoid of seriousness should not be registered and the Commission should reject the registration of proposals which would be manifestly against the values of the Union. The Commission should deal with registration in accordance with the general principles of good administration.

⁴ Declarations No 4 and 5 annexed to the final Act of the Intergovernmental Conference which approved the Treaty of Lisbon.

(9) The organiser of a proposed citizens' initiative should be responsible for the collection of the necessary statements of support from citizens.

(9 a) It is appropriate to set out the statement of support form in an annex to this Regulation, specifying the data required for the purposes of verification by the Member States. The Commission should be empowered to amend this Annex in accordance with Article 290 of the Treaty, taking into account information transmitted to it by Member States.

(10) It is appropriate to provide for statements of support to be collected in paper form as well as online. Online collection systems should have adequate security features in place in order to ensure, *inter alia*, that the person can be identified and that the data are securely stored. For this purpose, the Commission should be required to set out detailed technical specifications for online collection systems.

(11) It is appropriate for Member States to verify the conformity of online collection systems with the requirements of this Regulation **before statements of support are collected.**

(11 a) The Commission is encouraged to promote the development of an open source software which will provide the technical and security features necessary for complying with the provisions of this regulation as regards the online collect systems.

(12) It is appropriate to ensure that statements of support for a citizens' initiative are collected within a specific time-limit. In order to ensure that proposed citizens' initiatives remain relevant, whilst taking account of the complexity of collecting statements of support across the European Union, that time-limit should not be longer than 12 months from the date of registration of the proposed initiative.

~~(13) It is appropriate that the Commission should take a decision on the admissibility of proposed initiatives at a sufficiently early stage. The organiser should therefore request such a decision after it has collected 300.000 statements of support for the proposed initiative from signatories coming from at least three Member States.~~

~~(14) The Commission should, within a period of two months after receiving a request from the organiser, adopt a decision on its admissibility. A proposed citizens' initiative should be considered admissible if it falls within the framework of the powers of the Commission and concerns a matter where a legal act of the Union can be adopted for the purpose of implementing the Treaties.~~

- (15) It is appropriate to provide that, where a citizens' initiative **is considered admissible and** has received the necessary statements of support from signatories ~~and provided it is considered admissible~~, each Member State should be responsible for the verification and certification of statements of support collected from citizens coming from that State. Taking account of the need to limit the administrative burden for Member States, they should, within a period of three months, carry out such verifications on the basis of appropriate checks **which can be based on random sampling** and should issue a document certifying the number of valid statements of support received.
- (16) Organisers should ensure that all the relevant conditions set out in this Regulation are met prior to submitting a citizens' initiative to the Commission.
- (17) The Commission should examine a citizens' initiative and set out its conclusions and the actions it envisages to take in response to it, within a period of four months.
- (18) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁵ is fully applicable to the processing of personal data carried out in application of this Regulation. In this respect, it is appropriate to clarify that the organiser of a citizens' initiative and the competent authorities of the Member States are the data controllers within the meaning of Directive 95/46/EC and to specify the maximum period within which the personal data collected for the purposes of a citizens' initiative may be retained. In their capacity as data controllers, organisers need to take all the appropriate measures to comply with the obligations imposed by Directive 95/46/EC, in particular those relating to the lawfulness of the processing, the security of the processing activities and the provision of information and the rights of data subject to access to his/her personal data as well as the correction and erasure of his/her personal data.
- (19) The provisions of Chapter III of Directive 95/46/EC on judicial remedies, liability and sanctions are fully applicable as regards the data processing carried out in application of this Regulation. ~~In addition Member States should ensure that o~~**Organisers of a citizens' initiative are liable under their civil or criminal in accordance with applicable law for damage they cause. In addition, Member States should ensure that organisers are subject to appropriate sanctions** for infringements of this Regulation ~~and related matters.~~
- (20) 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 data⁶ is fully applicable to the processing of personal data carried out by the Commission in application of this Regulation.

⁵ OJ L 281, 23.11.1995, p. 31.

⁶ OJ L 8, 12.1.2001, p. 1.

- (21) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union for the purpose of amending the Annexes to this Regulation. **It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.**
- (22) The measures necessary for the implementation of the Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁷.
- (23) The Commission should report on the implementation of this Regulation ~~five~~ **three** years ~~after~~ **from the date of application** ~~its entry into force~~.
- (24) This Regulation respects fundamental rights and observes the principles enshrined in the Charter of Fundamental Rights of the European Union, in particular Article 8 thereof, which states that everyone has the right to the protection of personal data concerning him or her,

⁷ OJ L 184, 17.7.1999, p. 23.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject-matter

This Regulation establishes the procedures and conditions required for a citizens' initiative as provided for in Article 11 of the Treaty on European Union and Article 24 of the Treaty on the Functioning of the European Union.

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

1. "Citizens' initiative" means an initiative, submitted to the Commission in accordance with the present Regulation, inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties, which has received the support of at least one million eligible signatories coming from at least one third of all Member States;
2. "Signatories" means citizens of the Union that have supported a given citizens' initiative by completing a statement of support for that initiative;
3. "Organiser" means a natural or legal person or organisation responsible for the preparation and submission of a citizens' initiative to the Commission.

Article 3

Requirements for the organiser and for signatories

1. Where the organiser is a natural person, that person shall be a citizen of the Union and be of the age to be entitled to vote in the European elections.

Where the organiser is a legal person or an organisation it shall be established in a Member State. Organisations which do not have legal personality under the applicable national law shall have representatives that **satisfy the same requirements as those for natural persons as set out in the first sub-paragraph and** have the capacity to undertake legal obligations on their behalf and assume liability.

The Commission may request the organiser to provide appropriate proof that the above requirements are fulfilled.

2. In order to be eligible to support a proposed citizens' initiative, signatories shall be citizens of the Union and shall be of the age to be entitled to vote in the European elections.

Article 4

Registration of a proposed citizens' initiative

1. Prior to initiating the collection of statements of support from signatories for a proposed citizens' initiative, the organiser shall be required to register it with the Commission, providing the information set out in Annex II, in particular on the subject-matter and objectives as well as on the sources of funding and support for the proposed citizens' initiative.

This information shall be provided in one of the official languages of the Union, in an online register made available for that purpose by the Commission (hereafter "the register"). **After the registration, the organiser may provide the proposed citizen's initiative in the register in other official languages of the Union.**

2. **Under the conditions set out in paragraphs 3 to 6 as regards admissibility,** ~~Except in the cases foreseen in paragraphs 3 and 4,~~ the Commission shall, **within a period of three months from the receipt of the proposed initiative,** register ~~without delay the proposed initiative~~ **it** under a unique registration number and send a confirmation to the organiser.

3. **The proposed citizens' initiative shall be considered admissible if it satisfies the following conditions:**

- a. **it concerns a matter where a legal act of the Union can be adopted for the purpose of implementing the Treaties; and**

- b. **it falls within the framework of the powers of the Commission to make a proposal.**

4. **Proposed citizens' initiatives which can be reasonably regarded as improper because they are abusive or devoid of seriousness will not be registered.**

5. **The Commission shall reject the registration of proposed citizens' initiatives which are manifestly against the values of the Union, as set out in Article 2 of TEU.**

6. **The decision referred to in paragraph 2 shall be notified to the organiser of the proposed citizens' initiative and shall be made public.**

- ~~3. Proposed citizens' initiatives which can be reasonably regarded as improper because they are abusive or devoid of seriousness will not be registered.~~

- ~~4. The Commission shall reject the registration of proposed citizens' initiatives which are manifestly against the values of the Union.~~

- ~~5.~~ 7. A proposed citizens' initiative that has been registered shall be made public in the register.

Article 5

Procedures and conditions for the collection of statements of support

1. The organiser shall be responsible for the collection of the necessary statements of support from signatories for a proposed citizens' initiative which has been registered in accordance with Article 4.

Only statements of support forms which comply with the model set out in annex III may be used for this purpose. The organiser shall complete the forms as indicated in annex III prior to initiating the collection of statements of support from signatories. The information given in the forms shall correspond to the information contained in the register.

2. The organiser may collect statements of support in paper form or electronically. Where statements of support are collected electronically, Article 6 shall apply.

For the purpose of this Regulation, statements of support, which have been electronically signed using an advanced electronic signature, within the meaning of Directive 1999/93/EC of the European Parliament and of the Council on a Community framework for electronic signatures⁸, shall be treated in the same way as statements of support in paper form.

3. Signatories shall be required to complete statement of support forms made available by the organiser. **They shall indicate personal identification data in the statement of support, with the exception of signatories residing in a Member State listed in Part A of the form in Annex III.**

A list of admitted identification documents/numbers in the Member States where the indication of this information is mandatory is set out in Part B of the form in Annex III.

Signatories may only support a given proposed citizens' initiative once.

- 3.a Member States shall forward to the Commission any changes to the information contained in Annex III, including its parts A and B. Taking into account this information, the Commission may adopt, by means of delegated acts, in accordance with Article 16 and subject to the conditions of Articles 17 and 18, amendments to Annex III, including its parts A and B.**

4. All statements of support shall be collected after the date of registration of the proposed initiative and within a period that shall not exceed 12 months.

⁸ OJ L 13, 19.1.2000, p. 12.

Article 6
Online collection systems

1. Where statements of support are collected electronically, the data obtained through the online collection system shall be stored in the territory of a Member State.

The online collection system shall be certified in accordance with paragraph 3 in the Member State in which the data collected through the online collection system will be stored. The organiser may use one online collection system for the purpose of collecting statements of support in several or all Member States.

The model for the statement of support forms may be adapted for the purpose of the electronic collection.

2. **The organiser shall ensure that the online collection system used for the collection of statements of support from signatories complies with the provisions of paragraph 4.**

Prior to initiating the collection of statements of support from signatories, **the organiser shall ask the competent authority of the relevant Member State,** to certify that the online collection system used for that purpose complies with **those** the provisions of paragraph 4.

The organiser may, ~~at any time,~~ **only start collecting statements of support through the online collection system once it has obtained the certificate referred to in paragraph 3. The organiser shall make a copy of that certificate publicly available on the website used for the online collection system.** ~~ask the relevant competent authority of the Member State in which the data collected is or will be stored, to certify that the online collection system complies with those provisions. The organiser shall, in any case, request that certification prior to submitting statements of support for verification in accordance with Article 9.~~

3. Where the online collection system complies with the provisions referred to in paragraph 4, the relevant competent authority shall within one month issue a certificate in accordance with the model set out in Annex IV. ~~Until such a time as the technical specifications mentioned in paragraph 5 have been adopted, the competent authority shall apply the appropriate national technical specifications for assessing the conformity of the online collection system with paragraph 4.~~

Member States shall recognize the certificates issued by the competent authorities of other Member States.

4. Online collection systems shall have adequate security and technical features in place in order to ensure that:
 - a. only natural persons may submit a statement of support form online;
 - b. ~~the identity of the person can be verified;~~
 - c. the data provided online is securely stored, in order to ensure, inter alia, that it may not be modified or used for any other purpose than its indicated support of the given citizens' initiative and to protect personal data against accidental or unlawful destruction or accidental loss, alteration or unauthorized disclosure or access.
 - d. the system can generate individual statements of support in a form complying with the model set out in Annex III, in order to allow for the control by the Member States, in accordance with Article 9(2).
5. Within ~~12~~ **9** months following the entry into force of this Regulation, the Commission shall adopt technical specifications for the implementation of paragraph 4, in accordance with the regulatory procedure laid down in Article 19(2).

Article 7

Minimum number of signatories per Member State

1. The signatories of a citizens' initiative shall come from at least one third of Member States.
2. In one third of Member States, signatories shall comprise at least the minimum number of citizens set out in Annex I, **calculated on the basis of the number of Members of the European Parliament for each Member State as set out in the draft Decision of the European Council on the composition of the European Parliament for the legislative period 2009-2014, approved politically by the European Parliament on 11 October 2007, and with one amendment by the European Council during the 2007 Intergovernmental Conference⁹, multiplied by a factor of 750.**
3. **The Commission shall adopt, by means of delegated acts, in accordance with Article 16 and subject to conditions of Articles 17 and 18, adjustments to Annex I in order to reflect the numbers contained in any future Decision of the European Council establishing the composition of the European Parliament in accordance with the second subparagraph of Article 14(2) TEU. Such adjustments shall only apply to proposed citizens' initiatives that have been registered in accordance with Article 4 after the entry into force of the adjustment.**

⁹ Declarations No 4 and 5 annexed to the final Act of the Intergovernmental Conference which approved the Treaty of Lisbon.

34. Signatories shall be considered as coming from the Member State which **is responsible for the verification of his/her statement of support in accordance with Article 9 (1), second sub-paragraph** issued the identification document indicated in their statement of support.

Article 8

Decision on the admissibility of a proposed citizens' initiative

1. ~~After having collected 300.000 statements of support in accordance with Article 5 from signatories coming from at least three Member States, the organiser shall submit to the Commission a request for a decision on the admissibility of the proposed citizens' initiative. For this purpose the organiser shall use the form set out in Annex V.~~
2. ~~The Commission shall, within a period of two months from the receipt of the request referred to in paragraph 1, take a decision on admissibility. The proposed citizens' initiative shall be considered admissible if it satisfies the following conditions:~~
 - a. ~~it concerns a matter where a legal act of the Union can be adopted for the purpose of implementing the Treaties; and~~
 - b. ~~it falls within the framework of the powers of the Commission to make a proposal.~~
3. ~~The decision referred to in paragraph 2 shall be notified to the organiser of the proposed citizens' initiative and shall be made public.~~

Article 9

Provisions for the verification and certification of statements of support by the Member States

1. After having collected the necessary statements of support from signatories in accordance with Articles 5 and 7, and provided that the Commission has decided that a proposed citizens' initiative is admissible in accordance with Article ~~8~~**4**, the organiser shall submit the statements of support, in paper or in electronic form, to the relevant competent authorities provided for in Article 14 for verification and certification. For this purpose the organiser shall use the form set out in Annex VI **and shall separate statements of support collected in paper format, those which have been electronically signed using an advanced electronic signature and those collected through an online collection system.**

The organiser shall submit statements of support to the **relevant** Member State that issued the identification document indicated therein. **as follows:**

- **to the Member State that issued the identification document/number indicated in the statement of support, provided that the Member State concerned is listed in part B of the form in Annex III, or**
- **in all other cases, to the Member State of residence of the signatory indicated in the statement of support, as provided in part A of the form in Annex III.**

2. The competent authorities shall, within a period that shall not exceed three months, **from receipt of the request**, verify the statements of support provided on the basis of appropriate checks, **in accordance with national law and practice, as appropriate.** ~~and~~ **On this basis they shall** deliver to the organiser a certificate in accordance with the model set out in Annex VII, certifying the number of valid statements of support for that Member State.

For the purpose of the verification of statements of support, the authentication of signatures shall not be required.

3. The certificate provided for in paragraph 2 shall be issued free of charge.

Article 10

Submission of a citizens' initiative to the Commission

After having obtained the certificates provided for in Article 9(2), and provided that all relevant procedures and conditions set out in this Regulation have been complied with, the organiser may submit the citizens' initiative to the Commission.

For the purpose of this article, the organiser shall make use of the form set out in Annex VIII and shall submit the completed form together with copies, in paper or electronic form, of the certificates referred to in the first paragraph above.

The organiser shall also submit the information on all funding and support received for the citizen's initiative.

~~The Commission may request the originals of those certificates.~~

Article 11

Procedure for the examination of a citizens' initiative by the Commission

1. Where the Commission receives a citizens' initiative in accordance with Article 10 it shall:
 - a. publish the citizens' initiative without delay on its website;
 - b. examine the citizens' initiative and, within 4 months, set out in a communication its conclusions on the initiative, the action it intends to take, if any, and its reasons for doing so.
2. The communication referred to in paragraph 1(b) shall be notified to the organiser of the citizens' initiative as well as to the European Parliament and the Council and shall be made public.

Article 12

Protection of personal data

In processing personal data pursuant to the Regulation, the organiser of a citizens' initiative and the competent authorities of the Member State shall respect Directive 95/46/EC and the national provisions adopted pursuant thereto.

For the purposes of their respective processing of personal data, the organiser of a citizens' initiative and the competent authorities designated in accordance with Article 14(2) shall be considered as data controllers in accordance with Article 2(d) of Directive 95/46/EC.

The organiser shall **ensure that personal data collected for a given citizen's initiative is not used for any other purpose than its indicated support for that initiative and shall** destroy all statements of support received for ~~that~~ for a given citizens' initiative and any copies thereof at the latest one month after submitting that initiative to the Commission in accordance with Article 10 or 18 months after the date of registration of a proposed citizens' initiative, whichever is the earlier.

The competent authority shall only use the personal data it receives for a given citizens' initiative for the purpose of verifying the statements of support in accordance with Article 9 (2) and shall destroy all statements of support and copies thereof at the latest one month after issuing the certificate referred to in that Article.

~~The competent authority shall destroy all statements of support and copies thereof that it has received for the purpose of carrying out the verification in accordance with Article 9(2), at the latest one month after issuing the certificate referred to therein.~~

The organiser shall implement appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing.

Article 13

Liability

Organisers shall be liable for damage they cause in the organisation of a citizens' initiative in accordance with applicable law.

Article 13a

Sanctions

Liability

- 1 Member States shall ensure that organisers ~~resident or established on their territory~~ shall be ~~liable~~ **subject to appropriate sanctions** ~~under their civil or criminal law~~ for infringements of this Regulation and in particular for:
 - a. false declarations made by organisers;
 - ~~b. non conformity with the requirements for online collection systems;~~
 - be. the fraudulent use of data.

- 2. Those sanctions shall be effective, proportionate and dissuasive.**

Article 14

Competent authorities within the Member States

1. For the purpose of the implementation of Article 6(3), Member States shall designate competent authorities responsible for issuing the certificate provided for therein.
2. For the purpose of the implementation of Article 9(2), each Member State shall designate one competent authority responsible for coordinating the process of verification of statements of support and for delivering the certificates provided for therein.
3. Not later than **the date of application** ~~three months after the entry into force~~ of this Regulation, Member States shall forward the names and addresses of the competent authorities to the Commission.
4. The Commission shall make the list of competent authorities publicly available.

Article 15
Amendment of the Annexes

The Commission may adopt, by means of delegated acts in accordance with Articles 16, 17 and 18, amendments to the Annexes of this Regulation. **Amendments by means of delegated acts of Annexes I and III will be adopted in accordance with Articles 5 and 7.**

Article 16
Exercise of the delegation

1. The powers to adopt the delegated acts referred to in Article 15 shall be conferred on the Commission for an indeterminate period of time.
2. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
3. The powers to adopt delegated acts are conferred on the Commission subject to the conditions laid down in Articles 17 and 18.

Article 17
Revocation of the delegation

1. The delegation of power referred to in Article 15 may be revoked at any time by the European Parliament or by the Council.
2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.
3. The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the *Official Journal of the European Union*.

Article 18
Objections to delegated acts

1. The European Parliament ~~and~~ or the Council may object to the delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.

2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act it shall be published in the Official Journal of the European Union and shall enter into force at the date stated therein.

The delegated act may be published in the *Official Journal of the European Union* and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3. If the European Parliament or the Council objects to a delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

Article 19 **Committee**

1. For the purpose of the implementation of Article 6(5), the Commission shall be assisted by a committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

Article 20 **Notification of national measures**

Each Member State shall notify to the Commission the specific provisions it adopts in order to implement this Regulation.

The Commission shall inform the other Member States thereof.

Article 21 **Review clause**

~~Five~~ **Three** years after the **date of application** ~~entry into force~~ of this Regulation, the Commission shall present a report to the European Parliament and the Council on the implementation of this Regulation.

Article 22

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply twelve months after the entry into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

Minimum number of signatories per Member State

Austria	14250
Belgium	16500
Bulgaria	13500
Cyprus	4500
Czech republic	16500
Denmark	9750
Estonia	4500
Finland	9750
France	55500
Germany	72000
Greece	16500
Hungary	16500
Ireland	9000
Italy	54750
Latvia	6750
Lithuania	9000
Luxembourg	4500
Malta	4500
Netherlands	19500
Poland	38250
Portugal	16500
Romania	24750
Slovakia	9750
Slovenia	6000
Spain	40500
Sweden	15000
United Kingdom	54750

ANNEX II

Required information for registering a proposed citizens' initiative

The following information shall be provided in order to register a proposed citizens' initiative on the Commission's register:

1. The title of proposed citizens' initiative in no more than 100 characters;
2. The subject-matter, in no more than 200 characters;
3. The description of the objectives of the proposal on which the Commission is invited to act, in no more than 500 characters;
4. The ~~legal base~~ provisions of the Treaties which the organiser considers would allow the Commission to act (non mandatory);
5. The full name, postal address and e-mail address of the organiser or, in the case of a legal entity or organisation, its legal representative;
7. All sources of funding and support for the proposed initiative at the time of registration.

Organisers may provide more detailed information on the subject, objectives and background to the proposed citizens' initiative in an annex. They may also, if they wish, submit a draft legislative text.

ANNEX III

Statement of support form

Box 1: *(to be pre-completed by the organiser)*

1. Commission registration number*:
2. Date of registration*:
3. Web address of the proposed citizens' initiative on the Commission register*:

Box 2: *(to be pre-completed by the organiser)*

1. Title of proposed citizens' initiative*: *(maximum 100 characters)*
2. Subject-matter*: *(the subject should be as clear as possible) (maximum 200 character)*
3. Description of the main objectives of the proposed citizens' initiative*: *(maximum 500 characters)*
4. Name and address of organiser*:
5. Website of the proposed citizens' initiative:

Box 3: (to be completed by signatory)

1. **Name of signatory*:**

Full First Names*:

Family Name*:

Name at the time of birth (where applicable)

Father's Name (mandatory for Greece and Bulgaria)

2. **Address*:**

Street name, number and postcode*:

City*:

Country*:

3. **Date of birth*:** **Place of birth*:** **Country of birth*:**

4. **Nationality*:**

5. **E-mail address:**

6. **Personal Identification data***, except in the cases listed in part A of this form.

Please indicate only one document/number of identification as indicated in Part B of this form.

Type of identification document/ number:

a) Identity card of national or resident Number

OR

b) Passport Number

OR

c) Other identification document/number Specify Number

Member State which issued the identification document/number*:

Issuing Authority:

Box 4:

I hereby certify that the information provided in this form is correct and that I have only supported this proposed citizens' initiative once*.

Date and signature of the signatory*♦ :

Privacy statement: In accordance with Article 10 of Directive 95/46/EC, the personal data provided on this form will only be used for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative, provided for in Article 9 of Regulation xxxx/xxxx. The data may not be used for any other purpose. All statements of support will be destroyed at the latest within 18 months after the date of registration of the proposed citizens' initiative.

*: mandatory fields

♦: signature not mandatory when form is submitted electronically without electronic signature

PART A

List of Member States of residence which do not require additional personal identification data other than those set out in points 1-5 of Box 3.

<u>Member State</u>
<u>Denmark</u>
<u>Ireland</u>
<u>Netherlands</u>
<u>Finland</u>
<u>United Kingdom</u>
<u>Slovakia</u>

PART B

List of identification document/number, as indicated in point 6 of Box 3, one of which must be indicated in the statement of support form:

AUSTRIA

- Reisepass (passport)
- Personalausweis (identity card)

BELGIUM

- Carte d'identité / identiteitskaart (identity card)
- Passeport / paspoort (passport)
- Numéro d'identification du registre national / identificatienummer van het Rijksregister (identification number of the National Register)

BULGARIA

- Единен граждански номер (Single civil number)

CYPRUS

- Δελτίο Ταυτότητας (identity card of national or resident)
- Διαβατήριο (passport)

CZECH REPUBLIC

- Obcansky prukaz (national identity card)
- Cestovní pas (passport)

ESTONIA

- Isikukood (personal identification code)
- Identity cards
- Digital identity card
- Passport
- Seafarer's discharge books;
- Temporary travel documents;
- Certificates of record of service on Estonian ships;
- Certificates of return and permits of return.

FRANCE

- Passeport
- Carte nationale d'identité
- Titre de séjour
- Permis de conduire
- Autre :
 - § Carte d'identité de parlementaire avec photographie, délivrée par le président d'une assemblée parlementaire ;
 - § Carte d'identité d'élu local avec photographie, délivrée par le représentant de l'Etat
 - § Carte du combattant de couleur chamois ou tricolore ;
 - § Carte d'invalidité civile ou militaire avec photographie ;
 - § Carte d'identité de fonctionnaire de l'Etat avec photographie ;
 - § Carte d'identité ou carte de circulation avec photographie, délivrée par les autorités militaires ;
 - § Permis de chasser avec photographie, délivré par le représentant de l'Etat ;
 - § Livret ou carnet de circulation, délivré par le préfet en application de la loi n° 69-3 du 3 janvier 1969 ;
 - § Récépissé valant justification de l'identité, délivré en échange des pièces d'identité en cas de contrôle judiciaire, en application du neuvième alinéa (7°) de l'article 138 du code de procédure pénale ;
 - § Attestation de dépôt d'une demande de carte nationale d'identité ou de passeport, délivrée depuis moins de trois mois par une commune et comportant une photographie d'identité du demandeur authentifiée par un cachet de la commune.

GERMANY

- Personalausweis (carte d'identité)
- Pass (passeport)

GREECE

- Δελτίο Αστυνομικής Ταυτότητας (identity card)
- Διαβατήριο (passport)
- Βεβαίωση Εγγραφής Πολιτών Ε.Ε./Εγγραφο πιστοποίησης μόνιμης διαμονής πολίτη Ε.Ε. (residence certificate/permanent residence certificate)

HUNGARY

- személyazonosító igazolvány (identity card)
- útlevél (passport)
- személyi azonosító szám (személyi szám) – (personal identification number)

ITALY

- Passaporto (passport), inclusa l'indicazione dell'autorità di rilascio (including issuing authority)
- Carta di identità (identity card), inclusa l'indicazione dell'autorità di rilascio (including issuing authority)

LATVIA

- Personas kods (personal identification number)

LITHUANIA

- Asmens kodas (personal number) in identity card
- Asmens kodas (personal number) in passport

LUXEMBOURG

- Numéro d'identification national (numéro inscrit sur la carte d'identification de la Sécurité sociale).
- Carte d'identité.
- Passeport.

MALTA

- Identity card

POLAND

- Numer ewidencyjny PESEL

PORTUGAL

- Bilhete de identidade (identity card)
- Passaporte (passport)
- Cartão de Cidadão (citizen's card)

ROMANIA

- carte de identitate (carte d'identité)
- pasaport (passeport)
- certificat de înregistrare (certificat d'enregistrement)
- cartea de rezidență permanentă pentru cetățenii UE (carte de résidence permanente)
- Cod Numeric Personal (numéro personnel d'identification)

SLOVENIA

- Osebna izkaznica (identity card)
- Potni list (passport)

SPAIN

- Documento Nacional de Identidad (identity card)
- Pasaporte (passport)

SWEDEN

- Personnummer (personal identification number) in identity card
- Personnummer (personal identification number) in passport

ANNEX IV

Certificate confirming the conformity of an online collection system with Regulation XXXX/XXXX

[...] (name of competent authority) of [...] (name of Member State), hereby certifies that the online collection system [...] (website address) used for the electronic collection of statements of support for citizens' initiative ~~having the registration number [...]~~ complies with the relevant provisions of Regulation xxxx/xxxx.

Date, signature and official stamp of the competent authority:

ANNEX V

Form for the request of a decision on the admissibility of a proposed citizens' initiative

1. — Title of citizens' initiative*:
2. — Commission registration number*:
3. — Date of registration*:
4. — Number of statements of support received*:
5. — Number of signatories per Member States*:

	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	IT	CY	LV	LT	LU
Number of signatories															
	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	TOTAL		
Number of signatories															

6. — I hereby declare that the information provided in this form is correct.

Date and signature of the organiser*:

*: mandatory fields —

ANNEX VI

Form for the submission of statements of support to the Member States' competent authorities

1. Full name, postal address and e-mail address of the organiser or, in the case of a legal entity or organisation, its legal representative*:
2. Title of citizens' initiative*:
3. Commission registration number*:
4. Date of registration*:
5. Date of request for a decision on admissibility*:
6. Number of signatories coming from [name of MS]*:
7. Annexes*:
(Include all statements of support from signatories having specified a personal identification data number issued by the same Member State.
If applicable, include the relevant certificate(s) certifying ~~that~~ the conformity of the online collection system with Regulation xxxx/xxxx)
8. Date and signature of the organiser*:

*: mandatory fields

ANNEX VII

Certificate confirming the number of valid statements of support collected for [...] (name of Member State)

[...] (name of competent authority) of [...] (name of Member State), after having made the necessary verifications required by Article 8 9 of Regulation xxxx/xxxx, hereby certifies that [...] statements of support for citizens' initiative having the registration number [...] are valid in accordance with the provisions of that Regulation, ~~and that they have been collected within the time limit provided for in that Regulation.~~

Date, signature and official stamp of the competent authority:

ANNEX VIII

Form for the submission of a citizens' initiative to the Commission

1. Title of citizens' initiative*:
2. Commission registration number*:
3. Date of registration*:
4. Number of eligible statements of support received*: (*must be ~~over~~ **at least** 1 million*)
5. Number of signatories certified by Member States*:

	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	IT	CY	LV	LT	LU
Number of signatories															
	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	TOTAL		
Number of signatories															

6. Full name, postal address and e-mail address of the organiser or, in the case of a legal entity or organisation, its legal representative.

6a. Indicate all sources of funding and support received for the initiative:

7. I hereby declare that the information provided in this form is correct.

Date and signature of the organiser*:

8. Annexes*:
Include all certificates

*: mandatory fields
