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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	26 July 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2024) 5224 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 26.7.2024 supplementing Regulation (EU) 2020/1056 by establishing the eFTI common data set and eFTI data subsets

Delegations will find attached document C(2024) 5224 final.

Encl.: C(2024) 5224 final



EUROPEAN
COMMISSION

Brussels, 26.7.2024
C(2024) 5224 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 26.7.2024

**supplementing Regulation (EU) 2020/1056 by establishing the eFTI common data set
and eFTI data subsets**

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The purpose of this delegated act is to establish the eFTI common data set and eFTI data subsets in relation to the EU and national regulatory information requirements falling under the scope of Regulation (EU) 2020/1056 on electronic freight transport information (the eFTI Regulation), as referred to in Article 2(1) of that Regulation.

The establishment of the eFTI common data set and eFTI data subsets corresponding to the EU and national regulatory information requirements¹ will allow economic operators to prove compliance in a simplified and secure way. They will be able to record the data in a clear and standardised format, which will then allow these data to be exchanged automatically between the eFTI platforms used by the operators and the IT systems of the competent authorities.

The Commission paid particular attention to aligning the structure and definition of the data elements comprised in the eFTI common data set and eFTI data subsets with those of the corresponding data elements in the three most relevant EU and international data models: (i) the Union Customs Code data model (EU CDM)², (ii) the European Maritime Single Window environment (EMSWe) data model³, and (iii) the UN/CEFACT Multi Modal Transport Reference Data Model (MMT-RDM)⁴. This will: (i) enable more efficient sharing and reuse of data; (ii) reduce the administrative burden for economic operators; and (iii) improve the quality of the information the authorities can access to check compliance with applicable freight transport rules.

The eFTI subsets and the common data set may require updating following changes in the regulatory requirements laid down in the provisions of the EU and national legal acts falling under the scope of the eFTI Regulation. Article 7(1) of the eFTI Regulation empowers the Commission to adopt delegated acts to amend the eFTI subsets and common data set, but leaves it to the discretion of the Commission the timing of the adoption of these acts. To allow economic operators to provide regulatory information electronically and in full compliance with requirements falling under the scope of the eFTI Regulation, the Commission should adopt such amendments as soon as possible following the adoption of these changes by the EU co-legislators or, in the case of national acts, their notifications to the Commission by the Member States.

At the same time, all changes to the eFTI data subsets and common data set trigger the obligation of Member States and, respectively, eFTI platforms developers adapt their systems accordingly. Moreover, to ensure the continuous adequate operation of the eFTI exchange environment, these changes would need to be done in a coordinated manner. To allow for the coordinated implementation of these changes while, at the same time, avoiding to overburden stakeholders with repeated and possibly overlapping change requirements, the Commission should aim to adopt delegated acts amending the eFTI data subsets and common data set at

¹ As specified in paragraph (5) of Article 3 of the eFTI Regulation, an 'eFTI data subset' constitutes a set of structured data elements that correspond to the regulatory information required by a specific EU legal act or national law falling under the scope of the Regulation. The 'eFTI common data set', as specified in paragraph (6) of Article 3 of the eFTI Regulation, is a structured set consisting of all the data elements constituting part of all the individual subsets, but where all the data elements corresponding to more than one subset are included only once.

² As established under Regulation (EU) No 952/2013 of the European Parliament and of the Council (OJ L 269, 10.10.2013, p.1).

³ As established under Regulation (EU) 2019/1239 of the European Parliament and of the Council (OJ L 198, 25.7.2019, p. 64).

⁴ <https://unece.org/trade/uncefact/rdm>.

reasonably spaced time intervals, and coordinated with the timing of adoption of the delegated acts amending the list of national law provisions falling under the scope of the eFTI Regulation, especially where those amendments concern changes in the regulatory information requirements laid down in those provisions.

Furthermore, technical guidance may be needed to ensure harmonised implementation of the detailed specifications established in this act in relation to the eFTI common data set and eFTI data subsets. Therefore, the Commission should also assess the need for such guidance and, where appropriate, develop and publish supporting technical documents in consultation with experts designated by each Member State. Where appropriate, the Commission should also involve in this work experts representing other stakeholders' groups, particularly in the framework of relevant Commission expert groups, such as the Digital Transport and Logistics Forum.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Appropriate and transparent consultations, including at expert level, have been carried out to prepare this delegated act. This is in line with paragraph 4 of the Common Understanding on delegated acts between Parliament, the Council and the Commission.

Preparing this delegated act required collecting information from Member States. Industry associations were also consulted.

The delegated act has been subject to consultations with the Digital Transport and Logistics Forum (E03280), in the framework of its Sub-Group 3: 'Electronic Freight Transport Information (eFTI) Delegated Acts'. A first version of the draft delegated act was discussed at a meeting involving experts from all Member States on 27 June 2023. Parliament was also informed of the ongoing consultations.

The draft delegated act was also shared with the business community, primarily industry associations representing the different economic operators active in transport and logistics in the different transport modes (rail, road, inland waterways, maritime and aviation), including shippers, transport operators, freight forwarders and IT companies. These stakeholders were invited as observers to the expert group meetings. The act was also shared publicly for feedback on the Commission 'Have your say' portal between 1 and 29 December 2023.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The Commission is empowered to adopt this Delegated Regulation pursuant to Regulation (EU) 2020/1056, Article 7 thereof.

COMMISSION DELEGATED REGULATION (EU) .../...

of 26.7.2024

supplementing Regulation (EU) 2020/1056 by establishing the eFTI common data set and eFTI data subsets

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information⁵, and in particular Article 7 thereof,

Whereas:

- (1) Regulation (EU) 2020/1056 should be supplemented to establish the eFTI common data set and the eFTI data subsets.
- (2) Article 3(5) of Regulation (EU) 2020/1056 specifies that each eFTI data subset should comprise the structured set of data elements corresponding to the regulatory information required in a specific Union legal act or national law. Article 3(6) of the same Regulation specifies that the eFTI common data set should comprise the comprehensive set of structured data elements that correspond to all the eFTI data subsets, where the data elements common to the different eFTI data subsets are included only once. Furthermore, Article 3(7) specifies that each eFTI data element should have a unique definition and precise technical characteristics, such as format, length and character type.
- (3) The purpose of establishing the eFTI common data set is to simplify data recording and exchange in an electronic format, and thus ensure the availability of consistent information, for the purposes of checking and proving compliance with transport rules. Standardised names, definitions and formats of the data elements common across the different eFTI subsets including, where applicable, harmonised code lists and business rules, will allow economic operators to record data in a clear and standardised format. Furthermore, a harmonised structure for these data elements will enable this data to be exchanged automatically between the operators' eFTI platforms and the IT systems of the competent authorities.
- (4) The freight transport information to be recorded and exchanged within the eFTI environment is, for the most part, the same information that economic operators need to exchange in the business domain in order to ensure operational flows, as well as to prove their compliance with other regulatory requirements outside the scope of Regulation (EU) 2020/1056. To allow the reuse of eFTI data for such other exchanges, and ensure interoperability with relevant business-to-business and business-to-authorities electronic exchange environments, it is important to align the structure and definition of the data elements comprised in the eFTI common data set and eFTI data

⁵ OJ L 249, 31.7.2020, p. 33.

subsets with those of the corresponding data elements in the three most relevant Union and international data models: the Union Customs Code data model (EU CDM)⁶, the European Maritime Single Window environment (EMSW^e) data model⁷, and the UN/CEFACT Multi Modal Transport Reference Data Model (MMT-RDM)⁸. This will enable more efficient sharing and reuse of data, reduce the administrative burden for economic operators and improve the quality of the freight information the authorities can access to check compliance with applicable rules.

- (5) Article 83(4) of Regulation (EU) 2024/1157 of the European Parliament and of the Council⁹ amends Article 7 of Regulation (EU) 2020/1056, to set a later date for the adoption of the specifications of the eFTI data subset corresponding to the information requirements related to the movement of waste falling under the scope of Regulation (EU) 2020/1056, as referred to in point (iv) of Article 2(1)(a) of that regulation. Therefore, those specifications should not be adopted by this delegated regulation. To allow alignment with the related specifications to be adopted under the implementing regulations referred to in Article 27 (5) of Regulation (EU) 2024/1157, those specifications should be adopted at a later stage and no later than the date referred to in that article.
- (6) The Commission has carried out appropriate consultations, including at expert level and with stakeholders¹⁰,

HAS ADOPTED THIS REGULATION:

Article 1

Establishment of the eFTI common data set and of the eFTI data subsets

The eFTI common data set and the eFTI data subsets provided for under Article 7 of Regulation (EU) 2020/1056 are set out in the Annex to this Regulation.

Article 2

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 from the date of entry into force of this Regulation.

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⁶ As established under Regulation (EU) No 952/2013.

⁷ As established under Regulation (EU) 2019/1239.

⁸ <https://unece.org/trade/uncedfact/rdm>.

⁹ OJ L, 2024/1157, 30.4.2024.

¹⁰ Documents and reports of the relevant meetings can be found on the [Register of Commission expert groups and other similar entities \(europa.eu\)](#). Stakeholder feedback received on the draft act shared on the Commission ‘Have you say’ portal can be found [here](#).

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

Done at Brussels, 26.7.2024

For the Commission
The President
Ursula VON DER LEYEN