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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Union Secure Connectivity Programme for the period 2023-2027

Delegations will find attached the 3 column table presenting the Commission proposal, the EP report and the Coreper Mandate.

	Commission Proposal	EP Mandate	Council Mandate
Formula			
1	2022/0039 (COD)	2022/0039 (COD)	2022/0039 (COD)
Proposal Title			
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Union Secure Connectivity Programme for the period 2023-2027	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Union Secure Connectivity Programme for the period 2023-2027	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Union Secure Connectivity Programme for the period 2023-2027
Formula			
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Citation 1			
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189(2) thereof,
Citation 2			
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
Citation 3			

6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
Citation 4			
7	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Formula			
8	Whereas:	Whereas:	Whereas:
Recital 1			
9	(1) There is a growing demand by the Union governmental actors for secure and reliable satellite communication services, particularly because they are the only viable option in situations where ground-based communication systems are non-existent, disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable in remote regions and in the high seas and airspace. For instance, where lack of high-bandwidth communication currently limits the ability to take full advantage of new sensors and platforms observing the 71% of our planet that is ocean, satellite communication ensures the long-	(1) There is a growing demand by the Union governmental actors for secure and reliable satellite communication services, particularly because they are the only viable option in situations where ground-based communication systems are non-existent , disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable in remote regions and in the high seas <u>where there are no terrestrial networks, including over oceans</u> and airspace. For instance, in remote areas, and where <u>terrestrial networks face serious outage or cannot be trusted in crisis situations. More globally, satellite communication can increase the</u>	Moved to row 15a

	term availability of worldwide uninterrupted access.	<u>overall resilience of communication networks, offering for example alternative in the case of physical attacks or cyber incidents on terrestrial networks, accidents or natural disaster</u> lack of high-bandwidth communication currently limits the ability to take full advantage of new sensors and platforms observing the 71% of our planet that is ocean, satellite communication ensures the long-term availability of worldwide uninterrupted access.	
Recital 2			
10	(2) The conclusions of the European Council of 19-20 December 2013 welcomed the preparations for the next generation of Governmental Satellite Communication through a close cooperation between the Member States, the Commission and the European Space Agency (ESA). Governmental satcom has also been identified as one of the elements of the Global Strategy for the European Union's Foreign and Security Policy of June 2016. Governmental satcom is to contribute to the EU response to Hybrid Threats and provide support to the EU Maritime Security Strategy and to the Union Arctic policy.	(2) The conclusions of the European Council of 19-20 December 2013 welcomed the preparations for the next generation of Governmental Satellite Communication through a close cooperation between the Member States, the Commission and the European Space Agency (ESA). Governmental satcom has also been identified as one of the elements of the Global Strategy for the European Union's Foreign and Security Policy of June 2016. Governmental satcom is to contribute to the EU response to Hybrid Threats and provide support to the EU Maritime Security Strategy and to the Union Arctic policy.	(2) The conclusions of the European Council of 19-20 December 2013 welcomed the preparations for the next generation of governmental satellite Communication communications through a close cooperation between the Member States, the Commission and the European Space Agency (ESA). Governmental satcoms satellite communications has also been identified as one of the elements of the Global Strategy for the European Union's Foreign and Security Policy of June 2016. Governmental satcoms satellite communications is to contribute to the EU response to Hybrid Threats and provide support to the EU

			Maritime Security Strategy and to the Union EU Arctic policy.
Recital 3			
11	<p>(3) On 22 March 2017 the Council Political and Security Committee endorsed High Level Civil Military User Needs for Governmental Satellite Communications ¹ which were prepared by the EEAS on the military user's requirements identified by the European Defence Agency in its Common Staff Target adopted in 2014 and the civilian user needs collected by the Commission have been merged to produce the High Level Civil Military User Needs for Governmental Satellite Communications.</p> <p>¹ CSDP/PSDC 152, CFSP/PESC 274, COPS 103.</p>	<p>(3) On 22 March 2017 the Council Political and Security Committee endorsed High Level Civil Military User Needs for Governmental Satellite Communications ¹ which were prepared by the EEAS on the military user's requirements identified by the European Defence Agency in its Common Staff Target adopted in 2014 and the civilian user needs collected by the Commission have been merged to produce the High Level Civil Military User Needs for Governmental Satellite Communications.</p> <p>¹ CSDP/PSDC 152, CFSP/PESC 274, COPS 103.</p>	<p><i>deleted</i></p> <p>Content moved to Recital (5)</p>
Recital 6			
11a	<p>(6) The conclusions of the European Council of 21-22 March 2019 stressed that the Union needs to go further in developing a competitive, secure, inclusive and ethical digital economy with world-class connectivity.</p> <p>Moved reference text</p>	<p>(6)(3a) The conclusions of the European Council of 21-22 March 2019 stressed that the Union needs to go further in developing a competitive, secure, inclusive and ethical digital economy with world-class connectivity.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural</p>	<p>(6)(3a) The conclusions of the European Council of 21-22 March 2019 stressed that the Union needs to go further in developing a competitive, secure, inclusive and ethical digital economy with world-class connectivity.</p> <p>Moved from row 14</p>

		change of EP mandate.	
Recital 7			
11b	<p>(7) The Commission's 'Action Plan on synergies between civil, defence and space industries' of 22 February 2021, states that it aims to 'enable access to high-speed connectivity for everyone in Europe, and provide a resilient connectivity system allowing Europe to remain connected whatever happens'¹.</p> <p>1. COM(2021) 70 final.</p> <p>Moved reference text</p>	<p>(7)(3b) <u>The effect of hybrid operations in space can also have a significant impact on civil commercial activities that increasingly rely on space capabilities. In order to tackle this challenge</u> the Commission's 'Action Plan on synergies between civil, defence and space industries' of 22 February 2021, states that it aims to 'enable access to high-speed connectivity for everyone in Europe, and provide a resilient connectivity system allowing Europe to remain connected whatever happens'¹.</p> <p>1. COM(2021) 70 final.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(7)(3b) The Commission's 'Action Plan on synergies between civil, defence and space industries' of 22 February 2021, states that it aims to 'enable access to high-speed connectivity for everyone in Europe, and provide a resilient connectivity system allowing Europe to remain connected whatever happens'¹.</p> <p>1. COM(2021) 70 final.</p> <p>Moved from row 15</p>
Recital 3c			
11c			<p>(3c) The Strategic Compass¹ for security and defence adopted by the Council on 21 March 2022 recognises that the space infrastructure of the Union and its Member States contributes to our resilience and offers key services that substitute or complement</p>

			<p>ground infrastructures for telecommunications, and proposes that EU space systems should offer global connectivity to security and defence actors. It therefore calls for the Union to work on the proposal for an EU space-based global secure communication system.</p> <p>1. 7371/22.</p>
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Recital 4

12	<p>(4) The EU adopted the GOVSATCOM component of Regulation (EU) 2021/696 on 28 April 2021, to ensure the long-term availability of reliable, secure and cost-effective satellite communications services for GOVSATCOM users. Regulation (EU) 2021/696 envisages that in a first phase, of the GOVSATCOM component until approximately 2025, existing capacity would be used. In that context, the Commission is to procure GOVSATCOM capacities from Member States with national systems and space capacities and from commercial satellite communication or service providers, taking into account the essential security interests of the Union. In that first phase, GOVSATCOM services are to be introduced by a step-by-step</p>	<p>(4) <u>One of the important components of the Union Space Programme established by The EU</u> adopted the GOVSATCOM component of Regulation (EU) 2021/696 on 28 April 2021, is <u>GOVSATCOM, which aims</u> to ensure the long-term availability of reliable, secure, <u>scalable</u> and cost-effective satellite communications services for GOVSATCOM users. Regulation (EU) 2021/696 envisages that in a first phase, of the GOVSATCOM component until approximately 2025, existing capacity would be used <u>pooled and shared through the GOVSATCOM Hub</u>. In that context, the Commission is to procure GOVSATCOM capacities from Member States with national systems and space capacities and from commercial satellite communication</p>	<p>(4) The EU adopted the GOVSATCOM component of On 28 April 2021 the Union adopted Regulation (EU) 2021/696 on 28 April 2021, of the European Parliament and of the Council¹ establishing the Union Space Programme. One of the components of the Union Space Programme is GOVSATCOM, which was adopted to ensure the long-term availability of reliable, secure and cost-effective satellite communications services for GOVSATCOM users. Regulation (EU) 2021/696 envisages that in a first phase, of the GOVSATCOM component, until approximately 2025, existing capacity would be used. In that context, the Commission is to procure GOVSATCOM capacities from Member States with national systems</p>
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	<p>approach. It is also based on the premise that if in the course of the first phase a detailed analysis of future supply and demand reveals that this approach was insufficient to cover the evolving demand, will be necessary to move to a second phase and develop additional bespoke space infrastructure or capacities through cooperation with the private sector, e.g. with Union satellite operators.</p>	<p>or service providers, taking into account the essential security interests of the Union. In that first phase, GOVSATCOM services are to be introduced by a step-by-step approach, <u>in light of the scaling up of the GOVSATCOM Hub infrastructure capabilities</u>. It is also based on the premise that if in the course of the first phase a detailed analysis of future supply and demand reveals that this approach was insufficient to cover the evolving demand, will be necessary to move to a second phase and develop additional bespoke space infrastructure or capacities through cooperation with the private sector, e.g. with Union satellite operators.</p>	<p>and space capacities and from commercial satellite communication or service providers, taking into account the essential security interests of the Union. In that first phase, GOVSATCOM services are to be introduced by a step-by-step approach. It is also based on the premise that if in the course of the first phase a detailed analysis of future supply and demand reveals that this approach was insufficient to cover the evolving demand, it will be necessary to move to a second phase and develop additional bespoke space infrastructure or capacities through cooperation with the private sector, e.g. with Union satellite operators.</p> <p>1. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>
Recital 5			
13	<p>(5) It is now clear that the Union's current satellite communication assets cannot meet new needs of the governmental users who are moving towards higher security solutions, low latency and global coverage. Although recent technical progress</p>	<p>(5) It is now clear that the Union's current satellite communication assets cannot meet new needs of the <u>In a rapidly evolving scenario,</u> governmental users who are moving towards higher security solutions, low latency and global coverage.</p>	<p>(5) It is now clear that the Union's current satellite communication assets cannot meet new needs of the On 22 March 2017 the Council Political and Security Committee endorsed High Level Civil Military User Needs for Governmental users</p>

	<p>has allowed non-geostationary-orbit (NGSO) communications constellations to emerge and gradually offer high-speed and low-latency connectivity services. There is a window of opportunity for addressing the evolving needs of the governmental users by developing and deploying additional infrastructure as filings for the frequencies necessary to provide the required services are currently available within the European Union. If not used, these filings will become obsolete and be attributed to other players. As frequencies are an increasingly scarce resource, the EU may not get this opportunity again.</p>	<p>Although <u>to meet their needs.</u> Recent technical progress has allowed non-geostationary-orbit (NGSO) communications constellations to emerge and gradually offer high-speed and low-latency connectivity services. There is <u>therefore</u> a window of opportunity for addressing the evolving needs of the governmental users by developing and deploying additional infrastructure as filings for the frequencies necessary to provide the required services are currently available within the European Union. If not used, these filings will become obsolete and be attributed to other players. As frequencies are an increasingly scarce resource, the EU <u>may not get Commission should seize this opportunity again and should conclude dedicated licensing agreements with those Member States providing the frequencies filings. This open and transparent process should take place for frequencies filings for the provision of governmental services based on the governmental infrastructure.</u></p>	<p>who are moving towards higher security solutions, low latency and global coverage. Although recent technical progress has allowed non-geostationary orbit (NGSO) communications constellations to emerge and gradually offer high-speed and low-latency connectivity services. There is a window of opportunity for addressing the evolving Satellite Communications¹ which were prepared by the European External Action Service (EEAS) on the military user's requirements identified by the European Defence Agency in its Common Staff Target adopted in 2014 and the civilian user needs collected by the Commission have been merged to produce the High Level Civil Military User Needs of the for Governmental Satellite Communications. This analysis of governmental users by developing and deploying additional infrastructure as filings for the frequencies necessary to provide the required services are currently available within the European satellite communications user needs identified three pillars of governmental services use-cases: surveillance, crisis management and connection and protection of key infrastructures. Subsequent analyses by the Commission showed that the Union. If not used,</p>
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			<p>these filings will become obsolete and be attributed to other players. As frequencies are an increasingly scarce resource, the EU may not get this opportunity again's current satellite communication offer, based on capacities from Member States with national systems as well as private sector, cannot meet certain new needs of the governmental demand who are moving towards higher security solutions, low latency and global coverage. Those needs should be monitored and reassessed regularly.</p> <p>1. EEAS(2017) 359.</p> <p>Includes Recitals (3) and (19) Deleted content moved to new Recital (5a)</p>
Recital 5a			
13a			<p>(5a) Recent technical progress has allowed non-geostationary-orbit (NGSO) communications constellations to emerge and gradually offer high-speed and low latency connectivity services. There is therefore a window of opportunity for addressing the evolving needs of the governmental users by developing and deploying additional infrastructure, as filings for the frequencies necessary to</p>

			<p>provide the required services are currently available within the European Union. If not used, these filings at the International Telecommunication Union will become obsolete and be attributed to other players. As frequencies are an increasingly scarce resource, the Commission, through an open and transparent process with the Member States, should seize this opportunity to conclude with the Member States providing the frequency filings dedicated licensing agreements for the provision of governmental services based on the governmental infrastructure. The private sector is responsible for obtaining the rights on frequency filings required for the provision of commercial services.</p> <p>Cut from Recital (5)</p>
Recital 6			
14	<p>(6) The conclusions of the European Council of 21-22 March 2019 stressed that the Union needs to go further in developing a competitive, secure, inclusive and ethical digital economy with world-class connectivity.</p>	<p>(6) The conclusions of the European Council of 21-22 March 2019 stressed that the Union needs to go further in developing a competitive, secure, inclusive and ethical digital economy with world-class connectivity.</p>	<p>Moved to row 11a</p>
Recital 7			

15	<p>(7) The Commission's 'Action Plan on synergies between civil, defence and space industries' of 22 February 2021, states that it aims to 'enable access to high-speed connectivity for everyone in Europe, and provide a resilient connectivity system allowing Europe to remain connected whatever happens'¹.</p> <p>¹. COM(2021) 70 final.</p>	<p>(7) <u>The effect of hybrid operations in space can also have a significant impact on civil commercial activities that increasingly rely on space capabilities. In order to tackle this challenge</u> the Commission's 'Action Plan on synergies between civil, defence and space industries' of 22 February 2021, states that it aims to 'enable access to high-speed connectivity for everyone in Europe, and provide a resilient connectivity system allowing Europe to remain connected whatever happens'¹.</p> <p>¹. COM(2021) 70 final.</p>	<p>Moved to row 11b</p>
Recital 1			
15a	<p>(1) There is a growing demand by the Union governmental actors for secure and reliable satellite communication services, particularly because they are the only viable option in situations where ground-based communication systems are non-existent, disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable in remote regions and in the high seas and airspace. For instance, where lack of high-bandwidth communication currently limits the ability to take full advantage of new sensors and platforms observing the 71% of our</p>	<p>(7a) There is a growing demand by the Union governmental actors for secure and reliable satellite communication services, particularly because they are the only viable option in situations where ground-based communication systems are non-existent, disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable in remote regions and in the high seas <u>where there are no terrestrial networks, including over oceans</u> and airspace. For instance, in remote areas, and <u>where terrestrial networks face serious outage or cannot be trusted in crisis</u></p>	<p>(7a) There is a growing demand by the Union governmental actors for secure and reliable space-based satellite communication services, particularly because they are the onlymost viable option in situations where ground-based communication systems are non-existent, disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable in areas where terrestrial networks are absent, including in remote regions and in the high seas and airspace. For instance, or where lack of high-bandwidth communication currently limits the ability to take full</p>

	<p>planet that is ocean, satellite communication ensures the long-term availability of worldwide uninterrupted access.</p> <p>Moved reference text</p>	<p><u>situations. More globally, satellite communication can increase the overall resilience of communication networks, offering for example alternative in the case of physical attacks or cyber incidents on terrestrial networks, accidents or natural disaster</u> lack of high-bandwidth communication currently limits the ability to take full advantage of new sensors and platforms observing the 71% of our planet that is ocean, satellite communication ensures the long-term availability of worldwide uninterrupted access.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>advantage of new sensors and platforms observing the 71% of our planet that is ocean, satellite communication ensures the long-term availability of worldwide uninterrupted access</p> <p>local networks have been destroyed due to natural or man-made disasters or conflicts, or where they cannot be trusted in crisis situations.</p> <p>Moved from row 9</p>
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Recital 8

16	<p>(8) The Union should ensure the provision of resilient, global, guaranteed and flexible satellite communication solutions for evolving governmental needs, built on an EU technological and industrial base, in order to increase the resilience of Member States' and Union institutions' operations by guaranteed and uninterrupted access to satellite communication.</p>	<p>(8) The Union should ensure the provision of resilient, global, <u>secure, uninterrupted</u>, guaranteed and flexible satellite communication solutions for evolving governmental needs <u>and the public interest</u>, built on an EU technological and industrial base, in order to increase the resilience of Member States' and Union institutions' operations by guaranteed and uninterrupted access to satellite communication <u>services</u>.</p>	<p>(8) The Union should ensure the provision of resilient, global, secure, protected, uninterrupted, guaranteed and flexible satellite communication solutions for evolving governmental needs and requirements, built on an EU technological and industrial base, in order to increase the resilience of Member States' and Union institutions' operations by guaranteed and uninterrupted access to satellite communication.</p>
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Recital 9			
17	<p>(9) Satellite communication can increase the overall resilience of communication networks. A space-based communication system is the only viable option in situations where ground-based systems are non-existent, disrupted or unreliable. For example, it can provide means for digital communication in areas where terrestrial networks are absent, including over oceans and during flights, as well as over remote areas, or where local networks have been destroyed due to natural disasters, or they cannot be trusted in crisis situations.</p>	<p>(9) Satellite communication can increase the overall resilience of communication networks. A space-based communication system is the only viable option in situations where ground-based systems are non-existent, disrupted or unreliable. For example, it can provide means for digital communication in areas where terrestrial networks are absent, including over oceans and during flights, as well as over remote areas, or where local networks have been destroyed due to natural disasters, or they cannot be trusted in crisis situations.</p>	<p>deleted</p> <p>Content moved to Recital (7a)</p>
Recital 10			
18	<p>(10) Therefore, it is important to establish a new, Union Secure Connectivity Programme ('the Programme') to provide for the Union satellite based communication infrastructure, which should be built upon the GOVSATCOM component of the Union Space Programme and which should also take advantage of additional national and European capacities, which exist at the time the action is being carried out and develop further the European Quantum Communication Infrastructure (EuroQCI) initiative.</p>	<p>(10) Therefore, it is important to establish a new, – Union Secure Connectivity Programme ('the Programme') to provide for the Union satellite-based communications <u>satellite-based multi-services</u> infrastructure, which should be built upon <u>based on the demand of governmental entities and which integrates and complements</u> the GOVSATCOM component of the Union Space Programme and which should also take <u>related infrastructure, taking</u> advantage of additional national and European</p>	<p>(10) Therefore, it is important to establish a new, – Union Secure Connectivity Programme ('the Programme') to provide for thea Union satellite based communication infrastructure, which should be built upon the GOVSATCOM component of the Union Space Programme and which should also take advantage of additional for governmental use, while integrating existing and future national and European capacities, which exist at the time the action is being carried out and develop in the frame of the</p>

		capacities, which exist at the time the action is being carried out and develop further <u>from an infrastructure, communication capacities and service perspective, with gradual integration of</u> the European Quantum Communication Infrastructure (EuroQCI) initiative.	GOVSATCOM component of the Union Space Programme, and developing further and integrating the European Quantum Communication Infrastructure (EuroQCI) initiative.
Recital 11			
19	(11) The Programme should ensure the provision of the governmental services and allow for the provision of the commercial services through a dedicated governmental and commercial infrastructure. The Programme should therefore consist of development and validation actions for the construction of the initial space and ground infrastructure and for the launch of the initial space infrastructure. The Programme should then entail deployment activities aimed at completing both the space and ground infrastructure required for the provision of governmental services. The provision of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services should be part of the exploitation activities. The	(11) The Programme should ensure the provision of the <u>meet the new</u> governmental services and allow for the provision of the commercial services through a dedicated governmental and commercial infrastructure. The Programme <u>needs for higher security solutions, low latency and global coverage. It should therefore consist of development and validation actions for the construction of the initial space and ground infrastructure and for the launch of the initial space infrastructure. The Programme should then entail deployment activities aimed at completing both the space and ground <u>ensure the provision and long-term availability of worldwide uninterrupted access to secure, autonomous, reliable and cost-effective satellite governmental services, supporting the resilience and protection of critical infrastructure, surveillance, external</u></u>	(11) The Programme should ensure the long-term provision and availability of worldwide uninterrupted access to secure and cost-effective satellite governmental communication services, supporting the protection of critical infrastructure, surveillance, external actions, crisis management, as well as applications that are critical for Member States' economy, security and defence, through a dedicated governmental infrastructure while integrating the capacities of GOVSATCOM. The Programme should meet the new governmental needs for higher security solutions, low latency and global coverage. The services enabled by of the governmental services and allow for the provision of the commercial services through a dedicated governmental and commercial infrastructure. The Programme


	<p>exploitation activities should begin as soon as possible with the provision of the initial set of services aimed by 2024 to meet as soon as possible the evolving needs of the governmental users.</p>	<p><u>actions, crisis management, as well as applications that are critical for the Union's economy, security and defence, through a dedicated governmental</u> required for the provision of governmental services. The provision of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services <u>which integrates and complements the capacities of GOVSATCOM. Moreover, the Programme</u> should be part of the exploitation activities. The exploitation activities should begin as soon as possible with <u>prioritise the delivery of governmental services and allow for</u> the provision of the <u>commercial</u> services aimed by 2024 to meet as soon as possible the evolving needs of the governmental users <u>by the private sector through a commercial infrastructure.</u></p>	<p>should therefore consist of development and validation actions for the construction of the initial space and ground infrastructure and for the launch of the initial space infrastructure. the Programme should then entail deployment activities aimed at completing both the space and ground infrastructure required <u>provide connectivity over geographical areas of strategic interest, such as Africa, Mediterranean, Arctic, Black Sea and Atlantic. Furthermore, the Programme should allow for the provision of governmental</u> commercial <u>services. The provision by the European private sector, taking into account a market survey including consultation of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services should be part of the exploitation activities. The exploitation activities should begin as soon as possible with the provision of the initial set of services aimed by 2024 to meet as soon as possible the evolving needs of the governmental users</u> users, <u>through a commercial infrastructure that can enable access to advanced, reliable and fast connections and services to</u></p>
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			<p>citizens and businesses including, but not limited to, availability of high-speed broadband and seamless connectivity, removing communication dead zones and increasing cohesion across Member State territories and EU outermost regions, including rural, peripheral, remote and isolated areas and islands where deployment of broadband-fibre would be too expensive and connectivity could only be achieved with satellite infrastructure.</p> <p>Deleted content moved to new Recital (11a)</p>
Recital 11a			
19a		<p><u>(11a) The Programme should meet the new governmental needs for higher security solutions, low latency and global coverage. It should ensure the provision and long-term availability of worldwide uninterrupted access to secure, autonomous, reliable and cost-effective satellite governmental services, supporting the resilience and protection of critical infrastructure, surveillance, external actions, crisis management, as well as applications that are critical for the Union's economy, security and defence, through a</u></p>	<p>(11a) The Programme implementation should complement and integrate GOVSATCOM and start with the definition, development, validation and deployment activities for the construction of the space and ground infrastructure required to provide the first governmental services. The Programme should then entail gradual deployment activities aimed at completing both the space and ground infrastructure required for the provision of advanced governmental services, which are</p>

		<p><u><i>dedicated governmental infrastructure, which integrates and complements the capacities of GOVSATCOM. Moreover, the Programme should prioritise the delivery of governmental services and allow for the provision of commercial services by the private sector through a commercial infrastructure.</i></u></p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>currently not available and beyond the state-of-the-art of existing European satellite communication services. Moreover, the Programme should promote the development of user terminals able to exploit the enhanced communication services. The definition and provision of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services should be part of the exploitation activities. The exploitation activities should begin as soon as possible with the provision of the first set of governmental services aimed by 2024 to meet the needs of the governmental users. The first governmental services should be gradually improved with the aim of reaching full operational capability by 2027.</p> <p>Cut from Recital (11)</p>
Recital 11b			
19b		<p><u><i>(11b) According to the Digital Economy and Society Index (DESI) for 2021, connectivity across the Union has improved in ‘very high-</i></u></p>	

		<p><u>capacity networks' (VHCN) and is available in 59% of the Union households contributing to fast broadband (NGA) coverage of 87% of households. As regards the mobile networks, only 14% of populated areas were covered by 5G networks in 2020, however a considerable increase in assigned radio spectrum is promising an acceleration of 5G roll out across the Union in the next few years. The Programme is intended to help to improve connectivity across the Union and around the globe, for citizens and business, including, but not limited to, providing access to affordable high-speed broadband that can help remove communication dead zones and increase cohesion across the Union, including its outermost regions, rural, peripheral, remote and isolated areas and islands, where deployment of broadband-fibre is too expensive and connectivity is best achieved by means of satellite infrastructure. The satellite services cannot currently replace the performance of ground based networks but can bridge the digital divides and even contribute to the provision of the less demanding Universal Service in the meaning of the Directive (EU) 2018/1972¹.</u></p> <p><u>1. Directive (EU) 2018/1972 of the European Parliament and of the Council of</u></p>	
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		<u>11 December 2018 establishing the European Electronic Communications Code (OJ L 321, 17.12.2018, p. 36–214).</u>	
Recital 11c			
19c		<u>(11c) Since the Programme is a new initiative, which was not part of the Multiannual Financial Framework (MFF) for 2021-2027, new financial resources should be deployed. Priority should be given to unallocated margins under the MFF ceilings or mobilised through the non-thematic MFF special instruments, in order to avoid cuts to other Union programmes. The Programme should not undermine the implementation of other Union programmes. The next revision of the MFF should provide sufficient funding for the Programme, to ensure its consistency, ambition and long-term financing.</u>	
Recital 11d			
19d		<u>(11d) The Programme should therefore consist of the development, validation and related deployment activities for the construction of the initial space and ground infrastructure, required for the provision of governmental services. The exploitation activities should begin as soon as possible</u>	

		<p><u>with the provision of the initial set of services by 2024, so that the evolving needs of the governmental users are met as soon as possible. The Programme should then entail activities aiming to complete both the space and ground infrastructure required for a full operational capability of the governmental services by 2027. The provision of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services, should be part of the exploitation activities.</u></p>	
Recital 12			
20	<p>(12) Since June 2019, Member States have signed the European Quantum Communication Infrastructure (EuroQCI) Declaration, agreeing to work together, with the Commission and with the support of ESA, towards the development of a quantum communication infrastructure covering the whole EU. According to that Declaration, EuroQCI aims at deploying a certified secure end-to-end quantum communication infrastructure, enabling information and data to be transmitted and stored</p>	<p>(12) Since June 2019, Member States have signed the European Quantum Communication Infrastructure (EuroQCI) Declaration, agreeing to work together, with the Commission and with the support of ESA, towards the development of a quantum communication infrastructure covering the whole EU. According to that Declaration, EuroQCI aims at deploying a certified secure end-to-end quantum communication infrastructure, enabling information and data to be transmitted and stored</p>	<p>(12) Since June 2019, Member States have signed the European Quantum Communication Infrastructure (EuroQCI) Declaration, agreeing to work together, with the Commission and with the support of ESA, towards the development of a quantum communication infrastructure covering the whole EU. According to that Declaration, EuroQCI aims at deploying a certified secure end-to-end quantum communication infrastructure, enabling information and data to be transmitted and stored</p>

	<p>ultra-securely and capable of linking critical public communication assets all over the Union. To that purpose an interconnected space infrastructure and terrestrial infrastructure, should be built to enable the generation and distribution of cryptographic keys based on quantum information theory. The Programme will contribute to meet the objectives of the EuroQCI Declaration by developing a EuroQCI space infrastructure integrated into the space and ground infrastructure of the Programme. The EuroQCI space infrastructure should be developed in the Programme in two main phases, a preliminary validation phase and a full deployment phase, which should see full integration with the Programme, including appropriate solutions for inter-satellite connectivity and data relay between satellites and the ground. The Programme should integrate the EuroQCI in its governmental infrastructure, as it will provide future-proof cryptographic systems that offer unprecedented levels of secure communications by resisting future quantum computing attacks.</p>	<p>ultra-securely and capable of linking critical public communication assets all over the Union. To that purpose an interconnected space infrastructure and terrestrial infrastructure, should be built to enable the generation and distribution of cryptographic keys based on quantum information theory. The Programme will contribute to meet the objectives of the EuroQCI Declaration by developing a EuroQCI space infrastructure integrated into the space and ground infrastructure of the Programme. The EuroQCI space infrastructure should be developed in the Programme in two main phases, a preliminary validation phase and a full deployment phase, which should see full integration with the Programme, including appropriate solutions for inter-satellite connectivity and data relay between satellites and the ground. The Programme should integrate the EuroQCI in its governmental infrastructure, as it will provide future-proof cryptographic systems that offer unprecedented levels of secure communications by resisting future quantum computing attacks.</p>	<p>ultra-securely and capable of linking critical public communication assets all over the Union. To that purpose an interconnected space infrastructure and terrestrial infrastructure, should be built to enable the generation and distribution of cryptographic keys based on quantum information theory. The Programme will contribute to meet the objectives The Programme will contribute to meet the objectives of the EuroQCI Declaration by developing a EuroQCI space and ground infrastructure integrated into the governmental infrastructure of the EuroQCI Declaration Programme as well as by developing and deploying the EuroQCI space terrestrial infrastructure, which will be owned by the Member States integrated into the space and ground infrastructure of the Programme. The EuroQCI space, ground and terrestrial infrastructure should be developed in the Programme in two main phases, a preliminary validation phase, which may involve the development and validation of several different technologies and communication protocols, and a full deployment phase and a full deployment phase, which should see full integration with the Programme, including appropriate solutions for inter-satellite connectivity and data</p>
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			<p>relay between satellites and, the ground. The Programme should integrate the EuroQCI in its governmental and the terrestrial infrastructure, as it will provide future proof cryptographic systems that offer unprecedented levels of secure communications by resisting future quantum computing attacks.</p>
Recital 12a			
20a			<p>(12a) One of the main functions of the EuroQCI will be to allow for quantum distribution of cryptographic keys (QKD). To date, the QKD technology and products are not sufficiently mature to be used for the protection of EU classified information (EUCI). The main questions about QKD security still need to be solved such as standardisation of QKD protocols, side channel analysis and evaluation methodology. The Programme should therefore support the EuroQCI and allow for the inclusion of approved cryptographic products in the infrastructure when available.</p>
Recital 12b			
20b			<p>(12b) In order to protect EUCI in</p>

			a satisfactory secured manner, primary solutions to counter threats posed by quantum computing should be the combination of conventional solutions, post-quantum cryptography and possibly QKD in hybrid approaches. The Programme should therefore use such approaches with the aim to have both state of the art cryptography and key distribution.
Recital 13			
21	(13) To optimise all available satellite communication resources, in order to guarantee access in unpredictable situations, such as natural disasters, and to ensure operational efficiency and short turn-around times, a ground segment is required. It should be designed on the basis of operational and security requirements.	(13) To optimise all available satellite communication resources, in order to guarantee access in unpredictable situations, such as natural disasters, and to ensure operational efficiency and short turn-around times, a ground segment is required. It should be designed on the basis of operational and security requirements.	<i>deleted</i> <i>Beginning deleted. End merged with Recital (14)</i>
Recital 14			
22	(14) In order to expand the Union satellite communication capacities, the Programme infrastructure should integrate the infrastructure developed for the purposes of the of the GOVSATCOM component of the Union Space Programme. In	(14) In order to expand the Union satellite communication capacities, the Programme infrastructure should <u>be based upon</u> , integrate <u>and complement</u> the infrastructure developed for the purposes of the of the GOVSATCOM component of the	(14) In order to expand the Union satellite communication capacities, the Programme infrastructure should integrate the infrastructure developed for the purposes of the of the GOVSATCOM component of the Union Space Programme. In

	particular, the Programme's ground infrastructure should encompass the GOVSATCOM Hubs and other ground segment assets.	Union Space Programme. In particular, the Programme's ground infrastructure should encompass <u>be based upon</u> the GOVSATCOM Hubs, <u>as progressively scaled up through</u> and other ground segment assets, <u>on the basis of users and service needs</u> .	particular, the Programme's ground infrastructure should encompass the GOVSATCOM Hubs and other ground segment assets, including those of the Member States willing to contribute additionally, on the basis of operational and security requirements . Moved from Recital (13)
Recital 14a			
22a		<u>(14a) In order to ensure the functioning of the Programme and the protection of Union interests, it is essential to secure, as soon as possible, the orbital slots and frequencies necessary for the deployment of the services. The securing of orbital slots and frequencies requires the speedy establishment of the services portfolio, an adequate allocation of rights to use frequencies, and the rapid deployment of the first batch of satellites in 2024.</u>	
Recital 15			
23	(15) The services enabled by the Programme should connect strategic areas such as the Arctic and Africa, and contribute to geopolitical resilience by offering additional connectivity in line with policy	(15) The services enabled <u>provided</u> by the Programme should <u>help to connect neighbouring regions of the Union, such as Mediterranean, Baltic and Black Sea regions, and other</u> strategic areas such as the	<i>deleted</i> Moved to Recital (11)

	<p>targets in these regions and the Global Gateway strategy¹.</p> <p>¹ JOIN(2021) 30 final.</p>	<p>Arctic and Africa, and contribute to geopolitical resilience by offering additional connectivity in line with policy targets in these regions and the Global Gateway strategy¹.</p> <p>¹ JOIN(2021) 30 final.</p>	
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Recital 16

24	<p>(16) It is appropriate that the satellites built for the purposes of the Programme are equipped with payloads that can allow to increase the capacity and services of the components of the Union Space Programme, enabling thereby the development of additional missions under the conditions set out in Regulation (EU) 2021/696It could offer alternative positioning, navigation and timing services complementing Galileo, ensure the broadcast of EGNOS/SBAS messages with a lower latency, provide space based sensors for space surveillance and support enhancement of current Copernicus capabilities in particular for emergency and civil security services.</p>	<p>(16) It is appropriate that the satellites built for the purposes of the Programme are<u>could be</u> equipped with <u>subsystems, including</u> payloads that can allow to increase the capacity and services of the components of the Union Space Programme, enabling thereby the development of additional missions under the conditions set out in Regulation (EU) 2021/696<u>2021/696. Those subsystems could offer be developed for the purpose of offering</u> alternative positioning, navigation and timing services complementing Galileo, ensure the broadcast of EGNOS/SBAS messages with a lower latency, provide space based sensors for space surveillance<u>situational awareness</u> and support enhancement of current Copernicus capabilities in particular for emergency and civil security services. <u>Moreover, those subsystems could allow for the provision of services that are not</u></p>	<p>(16) It is appropriate that the satellites built for the purposes of the Programme are equipped with payloads that can allow toWithout prejudice to the communication services, the system could increase the capacity and services of the components of the Union Space Programme, enabling thereby the development of additional missionsnon-communication services to be decided under the conditionsrelevant configuration of the Programme committee as set out in Regulation (EU) 2021/6962021/696 and implemented under the conditions set out in this Regulation. If the benefit to the Union Space Programme components is duly established, taking into account user needs and budgetary constraints, it could offer alternative positioning, navigation and timing services complementing Galileo, ensure the broadcast of EGNOS/SBAS messages with a</p>
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		<u>components of the Union Space Programme.</u>	lower latency, provide space based sensors for space surveillance and support enhancement of current Copernicus capabilities in particular for emergency and civil security services. In addition, the system may provide non-communication services to Member States systems, under the condition that this does not impact the security and budget of the Programme.
Recital 57			
24a	<p>(57) Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the location of such infrastructure should be determined by the Commission. The deployment of the ground governmental infrastructure of the Programme should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence.</p> <p>Moved reference text</p>	<p>(57)16a Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the location of such infrastructure should be determined by the Commission. The deployment of the ground governmental infrastructure of the Programme should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence. <u>When determining the location, the Commission should, as far as possible, seek synergies with existing infrastructure of components of the Union Space Programme and endeavour to achieve geographical balance. For the sake of synergies, cost savings and security, the integration of the</u></p>	<p>(57)16a Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the location of such infrastructure should be determined by the Commission in line with the security requirements and following an open and transparent process, with a view to ensuring a balanced distribution among Member States. The deployment of the ground governmental infrastructure of the Programme should continue to follow an open and transparent process, which, which also integrates the infrastructure developed under GOVSATCOM, could involve the European Union Agency for the Space Programme ('the Agency') or ESA where appropriate based on its field of</p>

		<p><u>ground infrastructure with the Union Space Programme's components should be assessed in the first instance. In the second instance, the Commission should, where possible, take into consideration the geographical balance among the Member States to locate the ground infrastructure in the Union.</u></p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>competence.</p> <p>Moved from row 65</p>
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Recital 17

25	<p>(17) It is vital for the security of the Union and its Member States and for ensuring the security and integrity of the governmental services, that, where possible, the space assets of the Programme are launched from the territory of the Member States. Furthermore, microlaunchers are able to provide additional flexibility to allow for a rapid deployment of the space assets.</p>	<p>(17) It is vital for the security of the Union and its Member States, <u>for its strategic autonomy</u>, and for ensuring the security and integrity of the governmental services, that, where possible, <u>and the competitiveness of the Union in a rapidly evolving market, that</u> the space assets of the Programme are launched from the territory of the Member States <u>Union's territory</u>. Furthermore, microlaunchers are able to <u>could</u> provide additional flexibility to allow for a rapid deployment of the space assets <u>from the Union's territory. In exceptional, duly substantiated circumstances, it should be possible for such launches to take place from the territory of a third country.</u></p>	<p>(17) It is vital for the security of the Union and its Member States and for ensuring The space assets of the governmental infrastructure should be launched with service providers that can ensure the security and integrity of the governmental services, that and, where possible, from the territory the space assets of the Programme are launched from the territory Member States, in order to protect the security interests of the Union and its Member States. Furthermore, microlaunchers are able to Further to heavy and medium launchers, small launchers and microlaunchers could provide additional flexibility to allow for a rapid deployment of the space assets.</p>
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Recital 18			
26	<p>(18) It is important that the Union owns all tangible and intangible assets related to governmental infrastructure while ensuring the respect of the Charter of Fundamental Rights of the European Union, including its Article 17. Despite the ownership by the Union of those assets, it should be possible for the Union, in accordance with this Regulation and, where it is deemed appropriate on a case-by-case assessment, to make those assets available to third parties or to dispose of them.</p>	<p>(18) It is important that the Union owns all tangible and intangible assets related to governmental infrastructure while ensuring the respect of the Charter of Fundamental Rights of the European Union, including its Article 17. Despite the ownership by the Union of those assets, it should be possible for the Union, in accordance with this Regulation and, where it is deemed appropriate on a case-by-case assessment, to make those assets available to third parties or to dispose of them.</p>	<p>(18) It is important that the Union owns all tangible and intangible assets related to governmental infrastructure developed under this Programme, except the EuroQCI national terrestrial infrastructure, while ensuring the respect of the Charter of Fundamental Rights of the European Union, including its Article 17. Despite the ownership by the Union of those assets, it should be possible for the Union, in accordance with this Regulation and, where it is deemed appropriate on a case-by-case assessment, to make those assets available to third parties or to dispose of them.-</p>
Recital 18a			
26a			<p>(18a) The Programme should maximise the use of innovative and disruptive technologies as well as novel business models developed by New Space, in particular by small and medium-sized enterprises (SMEs), mid-cap companies and start-ups that develop market-driven novel space technologies and applications, covering several aspects of the value chain.</p>

Recital 59			
26b	<p>(59) To ensure the competitiveness of the European space industry in the future, the Programme should contribute to the development of advanced skills in space-related fields and support education and training activities, promoting equal opportunities, gender equality and women's empowerment, in order to realise the full potential of Union citizens in that area.</p> <p>Moved reference text</p>	<p>(5918a) To ensure the competitiveness of the European space industry in the future, the Programme should contribute to the development of advanced skills in space-related fields and support education and training activities, promoting equal opportunities, gender equality and women's empowerment, in order to realise the full potential of Union citizens in that area.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(5918b) It is essential to incentivise the private sector investment through appropriate procurement and aggregation of service contracts, thus reducing uncertainty and providing long term visibility and predictability of public sector services needs. To ensure the competitiveness of the European space industry in the future, the Programme should also contribute to the development of advanced skills in space-related fields and support education and training activities, promoting equal opportunities, gender equality and women's empowerment, in order to realise the full potential of Union citizens in that area.</p> <p>Moved from row 67</p>
Recital 19			
27	<p>(19) The Programme should provide services aimed at meeting the needs of the governmental users. The High Level Civil Military User Needs for Governmental Satellite Communications¹, which was endorsed by the Council Security Committee in March 2017, identified three pillars of governmental</p>	<p>(19) The Programme should provide services aimed at meeting the needs of the governmental users. -, taking account of the High Level Civil Military User Needs for Governmental Satellite Communications¹, which was endorsed by the Council Security Committee in March 2017. -, identified</p>	<p><i>deleted</i></p> <p>Added to Recital (5)</p>

	<p>services use-cases: surveillance, crisis management and connection and protection of key infrastructures.</p> <p>1. EEAS(2017) 359.</p>	<p>three pillars of governmental services use-cases: surveillance, crisis management and connection and protection of key infrastructures.</p> <p>1. EEAS(2017) 359.</p>	
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Recital 20

28	<p>(20) Operational requirements for the governmental services should be based on the use-case analysis. From those operational requirements, in combination with security requirements and evolving demand of governmental services, the portfolio of governmental services should be developed. The service portfolio should establish the applicable baseline for the governmental services. The service portfolio for the governmental services should take into account the service portfolio of the GOVSATCOM services established within the framework of Regulation (EU) 2021/696. In order to maintain the best possible match between the demand and supplied services, the service portfolio for governmental services should be regularly updated.</p>	<p>(20) Operational requirements for the governmental services should be based on the use-case analysis <u>assessment of governmental users' needs, while also taking into account the capabilities of the current market offerings. When assessing those requirements the current market capacities should be used to the largest extent possible.</u> From those operational requirements, in combination with security requirements and evolving demand of governmental services, the portfolio of governmental services should be developed. The service portfolio should establish the applicable baseline for the governmental services. The service portfolio for the governmental services should take into account the service portfolio of the GOVSATCOM services established within the framework of Regulation (EU) 2021/696. In order to maintain the best possible match between the demand and supplied services, the service portfolio for governmental</p>	<p>(20) Operational requirements for the governmental services should be based on the use-case analysis. From those operational requirements, in combination with security requirements and evolving demand of governmental services, the portfolio of governmental services should be developed. The service portfolio should establish the applicable baseline for the governmental services. The service portfolio for the governmental services should take into account define the categories of services which complement the service portfolio of the GOVSATCOM services established within the framework of Regulation (EU) 2021/696. The Commission should also ensure the consistency and coherence of operational and security requirements between GOVSATCOM and the Programme. In order to maintain the best possible match between the demand and supplied services, the service portfolio for governmental</p>
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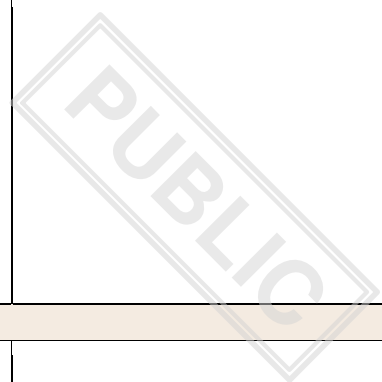
		services should be regularly updated <u>after consulting Member States</u> .	services should be identified in 2023 and regularly updated, based on those operational and security requirements.
Recital 21			
29	(21) Satellite communications is a finite resource limited by the satellite capacity, frequency and geographical coverage. In order to be cost-effective and to capitalise on economies of scale, the Programme should optimise the match between the supply and demand of the governmental services. Since the demand and the potential supply both change over time, the Commission should monitor the needs to adjust the portfolio for the governmental services whenever this appears necessary.	(21) Satellite communications is a finite resource limited by the satellite capacity, frequency and geographical coverage. In order to be cost-effective and to capitalise on economies of scale, the Programme should optimise the match between the supply and demand of the governmental services. Since the demand and the potential supply both change over time, the Commission should monitor the needs to adjust the portfolio for the governmental services whenever this appears necessary.	(21) Satellite communications is a finite resource limited by the satellite capacity, frequency and geographical coverage. Hence , in order to be cost-effective and to capitalise on economies of scale, the Programme should optimise the match between the supply and demand of the governmental services and to avoid overcapacity . Since the demand and the potential supply both change over time, the Commission should monitor the needs to adjust the portfolio for the governmental services whenever this appears necessary.
Recital 22			
30	(22) The Programme should also allow for the provision of commercial services by the private sector. Such commercial services could in particular contribute to availability of high-speed broadband and seamless connectivity throughout Europe, removing communication dead zones and	(22) The Programme should also allow for the provision of commercial services by the private sector. Such commercial services could in particular contribute to availability of high-speed broadband and seamless connectivity throughout Europe, removing communication dead zones and increasing cohesion	deleted Added to Recital (11)

	increasing cohesion across Member State territories, including rural, peripheral, remote and isolated areas and islands, and provide connectivity over geographical areas of strategic interest.	across Member State territories, including rural, peripheral, remote and isolated areas and islands, and provide connectivity over geographical areas of strategic interest.	
Recital 23			
31	(23) Member States, the Council, the Commission and the European External Action Service ('EEAS'), as well as Union agencies and bodies should be able to become the Programme participants, insofar as they choose to authorise users of governmental services or provide capacities, sites or facilities. Taking into consideration that it is for the Member States to decide whether to authorise national users of governmental services, Member States should not be obliged to become Programme participants or to host Programme infrastructure.	(23) Member States, the Council, the Commission and the European External Action Service ('EEAS'), as well as Union agencies and bodies should be able to become the Programme participants, insofar as they choose to authorise users of governmental services or provide capacities, sites or facilities. Taking into consideration that it is for the Member States to decide whether to authorise national users of governmental services, Member States should not be obliged to become Programme participants or to host Programme infrastructure.	(23) Member States, the Council, the Commission and the European External Action Service EEAS , as well as Union agencies and bodies should be able to become the Programme participants, insofar as they choose to authorise users of governmental services or provide capacities, sites or facilities. Taking into consideration that it is for the Member States to decide whether to authorise national users of governmental services, Member States should not be obliged to become contribute additionally to the Programme participants or to host Programme infrastructure.
Recital 24			
32	(24) Each Programme participant should designate a Secure Connectivity Competent Authority to monitor whether users, and other national entities that play a role in the Programme, comply with the	(24) Each Programme participant should designate a Secure Connectivity Competent Authority to monitor whether users, and other national entities that play a role in the Programme, comply with the	(24) Each Programme participant should designate a Secure Connectivity Competent Authority to monitor whether users, and other national entities that play a role in the Programme, comply with the

	applicable rules and security procedures as laid down in the security requirements.	applicable rules and security procedures as laid down in the security requirements.	applicable rules and security procedures as laid down in the security requirements. Programme participants may assign the function of such an authority to an existing authority.
Recital 25			
33	<p>(25) This Regulation lays down a financial envelope, which is to constitute the prime reference amount, within the meaning of point 18 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources¹, for the European Parliament and the Council during the annual budgetary procedure.</p> <p>¹ OJ L 433 I, 22.12.2020, p. 28.</p>	<p>(25) This Regulation lays down a financial envelope, which is to constitute the prime reference amount, within the meaning of point 18 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources¹, for the European Parliament and the Council during the annual budgetary procedure.</p> <p>¹ OJ L 433 I, 22.12.2020, p. 28.</p>	<p>(25) This Regulation lays down a financial envelope for the entire duration of the Programme, which is to constitute the prime reference amount, within the meaning of point 18 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources¹, for the European Parliament and the Council during the annual budgetary procedure.</p> <p>¹ OJ L 433 I, 22.12.2020, p. 28.</p>
Recital 26			
34	<p>(26) The Programme objectives are coherent and complementary with those of other Union programmes,</p>	<p>(26) The Programme objectives are coherent and complementary with those of other Union programmes,</p>	<p>(26) The Programme objectives are coherent and complementary with those of other Union programmes,</p>

<p>particularly Horizon Europe established by Regulation (EU) 2021/695 of the European Parliament and of the Council¹, the Digital Europe Programme established by Regulation (EU) 2021/694 of the European Parliament and of the Council², the Neighbourhood, Development and International Cooperation Instrument – Global Europe established by Regulation (EU) 2021/947 of the European Parliament and of the Council³, the Connecting Europe Facility established by Regulation (EU) 2021/1153 of the European Parliament and of the Council⁴ and, in particular, the Union Space Programme established by Regulation (EU) 2021/696 of the European Parliament and of the Council⁵.</p> <p>1. Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1). 2. Regulation (EU) 2021/694 of the European Parliament and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1). 3. Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation</p>	<p>particularly Horizon Europe established by Regulation (EU) 2021/695 of the European Parliament and of the Council¹<u>and Council Decision 2021/764²</u>, the Digital Europe Programme established by Regulation (EU) 2021/694 of the European Parliament and of the Council³, the Neighbourhood, Development and International Cooperation Instrument – Global Europe established by Regulation (EU) 2021/947 of the European Parliament and of the Council^{3,4}, the Connecting Europe Facility established by Regulation (EU) 2021/1153 of the European Parliament and of the Council^{4,5} and, in particular, the Union Space Programme established by Regulation (EU) 2021/696 of the European Parliament and of the Council^{5,6}, <u>duly justifying its inclusion. Funds from those Union programmes should not be redeployed to finance the Programme.</u></p> <p>1. Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1). 2. Regulation (EU) 2021/694 of the European Parliament and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240</p>	<p>particularly Horizon Europe established by Regulation (EU) 2021/695 of the European Parliament and of the Council¹, the Digital Europe Programme established by Regulation (EU) 2021/694 of the European Parliament and of the Council², the Neighbourhood, Development and International Cooperation Instrument – Global Europe established by Regulation (EU) 2021/947 of the European Parliament and of the Council³, the Connecting Europe Facility established by Regulation (EU) 2021/1153 of the European Parliament and of the Council⁴ and, in particular, the Union Space Programme established by Regulation (EU) 2021/696 of the European Parliament and of the Council⁵.</p> <p>1. Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1). 2. Regulation (EU) 2021/694 of the European Parliament and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1). 3. Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and</p>
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	<p>Instrument – Global Europe, amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 (OJ L 209, 14.6.2021, p. 1).</p> <p>4. Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38).</p> <p>5. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>	<p>2015/2240 (OJ L 166, 11.5.2021, p. 1) <u>Council Decision (EU) 2021/764 of 10 May 2021 establishing the Specific Programme implementing Horizon Europe – the Framework Programme for Research and Innovation, and repealing Decision 2013/743/EU (OJ L 1671, 12.5.2021, p. 1–80).</u></p> <p>3. Regulation (EU) 2021/947 <u>2021/694</u> of the European Parliament and of the Council of 9 June <u>29 April</u> 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global <u>Digital</u> Europe, amending <u>Programme</u> and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 (OJ L 209, 14.6.2021, p. 1). <u>(EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1).</u></p> <p>4. Regulation (EU) 2021/1153 <u>2021/947</u> of the European Parliament and of the Council of 7 July <u>9 June</u> 2021 establishing the Connecting <u>Neighbourhood, Development and International Cooperation Instrument – Global</u> Europe, amending and repealing <u>Decision No 466/2014/EU of the European Parliament and of the Council</u> Facility and repealing Regulations (EU) No 1316/2013 and Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 283/2014 (OJ L 249, 14.7.2021, p. 38) <u>No 480/2009 (OJ L 209, 14.6.2021, p. 1).</u></p> <p>5. Regulation (EU) 2021/696 <u>2021/1153</u> of the European Parliament and of the Council of 28 April <u>7 July</u> 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme <u>Connecting Europe Facility</u> and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69) <u>No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38).</u></p>	<p>repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 (OJ L 209, 14.6.2021, p. 1).</p> <p>4. Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38).</p> <p>5. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>
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		<u>6. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</u>	
Recital 27			
35	<p>(27) The Horizon Europe Programme will allocate a dedicated share of its Cluster 4 components to R&I activities related to development and validation of the secure connectivity system, including for the potential technologies that would be developed under New Space. The Neighbourhood, Development and International Cooperation Instrument (NDICI) will allocate a dedicated share of its Global Europe funds for activities related to the operation of the system and the worldwide provision of services that will allow to offer an array of services to international partners. The Union Space Programme will allocate a dedicated share of its GOVSATCOM component for the activities related to the development of the GOVSATCOM Hub which will form part of the ground infrastructure of the Secure Connectivity system. The funding</p>	<p>(27) The Horizon Europe Programme will allocate a dedicated share of its Cluster 4 components to R&amp;I activities related to development and validation of the secure connectivity system, including for the potential technologies that would be developed under New<u>in the European space.—The Neighbourhood, Development and International Cooperation Instrument (NDICI) ecosystem, especially leveraging the impact of new entrants, start-ups and small- and medium-sized enterprises (SMEs). Since the Secure Connectivity Programme is a new initiative and the Horizon</u>will allocate a dedicated share of its Global Europe Programme is a major Union priority, the allocation of funds for those R&I activities related<u>should not detract from the other R&I activities conducted under Cluster 4, which are essential for Union competitiveness and the</u></p>	<p>(27) The Horizon Europe Programme will allocate a dedicated share of its Cluster 4 components to R&amp;I activities related to development and validation of the secure connectivity system, including for the potential technologies that would be developed under New Space.— The Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI) will allocate a dedicated share of its Global Europe funds for activities related to the operation of the system and the worldwide provision of services that will allow to offer an array of services to international partners. The Union Space Programme will allocate a dedicated share of its GOVSATCOM component for the activities related to the development of the GOVSATCOM Hub which will form part of the ground infrastructure of the Secure Connectivity system. The funding</p>

	<p>stemming from these programmes should be implemented in accordance with the rules of these programmes. Since those rules may differ significantly from the rules under this Regulation, the need to achieve effectively the intended policy objectives should be taken into account when deciding to finance actions from both the allocated funds from Horizon Europe and NDICI and from the Union Secure Connectivity Programme.</p>	<p><u>green and digital transitions.</u> <u>Consequently, without prejudice to the operation institutional prerogatives of the system and the worldwide provision of services that will allow to offer an array of services to international partners European Parliament and of the Council, an amount of commitment appropriations equivalent to the amount earmarked under Cluster 4 for R&I activities relating to the secure connectivity system should be made available to Horizon Europe Programme over the period 2023-2027, resulting from total or partial non-implementation of projects belonging to that programme or its predecessor, as provided for in Article 15(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’).</u> <u>This amount is in addition to the EUR 0.5 billion (in 2018 prices) provided for in the Joint Declaration by the European Parliament, the Council and the Commission on the re-use of decommitted funds in relation to the research programme.</u> The Union Space Programme will allocate a dedicated share of its GOVSATCOM component for the activities related to the development <u>and completion</u> of the GOVSATCOM Hub which</p>	<p>stemming from these programmes should be implemented in accordance with the rules of these programmes. Since those rules may differ significantly from the rules under this Regulation, the need to achieve effectively the intended policy objectives should be taken into account when deciding to finance actions from both the allocated funds from Horizon Europe and NDICI and from the Union Secure Connectivity Programme.</p>
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		<p>will form part of <i>be necessary for</i> the ground infrastructure of the Secure Connectivity system. The funding stemming from these programmes should be implemented in accordance with the rules of these programmes. Since those rules may differ significantly from the rules under this Regulation, the need to achieve effectively the intended policy objectives should be taken into account when deciding to finance actions from both the allocated funds from Horizon Europe and <i>NDICI</i> and from the Union Secure Connectivity Programme.</p>	
Recital 28			
36	<p>(28) Due to its inherent implications on the security of the Union and its Member States, the Programme also shares objectives and principles with the European Defence Fund established by Regulation (EU) 2021/697 of the European Parliament and of the Council¹. Therefore, part of the funding from that Programme should be provided to fund the activities under this Programme, particularly the actions related to the deployment of its infrastructure.</p> <p>¹. Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European</p>	<p>(28) Due to its inherent implications on the security of the Union and its Member States, the Programme also shares objectives and principles with the European Defence Fund established by Regulation (EU) 2021/697 of the European Parliament and of the Council¹. Therefore, part of the funding from that Programme should be provided to fund the activities under this Programme, particularly the actions related to the deployment of its infrastructure.</p> <p>¹. Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence</p>	<p>(28) Due to its inherent implications on the security of the Union and its Member States, the Programme also shares objectives and principles with the European Defence Fund established by Regulation (EU) 2021/697 of the European Parliament and of the Council¹. Therefore, part of the funding from that Programme should be provided to fund the activities under this Programme, particularly the actions related to the deployment of its infrastructure.</p> <p>¹. Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092</p>

	Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149).	Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149).	(OJ L 170, 12.5.2021, p. 149).
Recital 28a			
36a		<p><u>(28a) In order to ensure that the Programme is implemented successfully, it is important to ensure that sufficient resources are available. Member States should therefore make a financial contribution that would be additional to the amount available through the Union budget and private sector contributions. Member States' contributions should be made in accordance with their needs and demand for services made available through the Programme. It should also be possible for Member States to make in-kind contributions. Additional financial contributions and in-kind contributions from other parties should also be possible.</u></p>	
Recital 28b			
36b		<p><u>(28b) The funding needs of the Programme should be taken into consideration in the mid-term review of the MFF, with a view to ensuring the stability, coherence, ambition and long-term financing of the Programme. Appropriate funding through the Union's budget</u></p>	

		<u>would ensure democratic scrutiny of the Programme in the annual budgetary procedure and would make it possible to apply all the Union financial control and discharge provisions.</u>	
Recital 28c			
36c		<u>(28c) Several Member States have programmed funds from the Recovery and Resilience Facility (RRF) for space activities. In order to maximise the efficiency of available financial resources and to ensure synergies between the Programme and the RRF, Member States should be encouraged to align their recovery and resilience plans with the needs of the Programme.</u>	
Recital 29			
37	(29) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ¹ (the ‘Financial Regulation’) applies to the Programme. The Financial Regulation lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect management, financial instruments, budgetary guarantees, financial assistance and	(29) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ¹ (the ‘Financial Regulation’) applies to the Programme. The Financial Regulation lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect management, financial instruments, budgetary guarantees, financial assistance and	(29) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ¹ (the ‘Financial Regulation’) applies to the Programme. The Financial Regulation lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect management, financial instruments, budgetary guarantees, financial assistance and

	<p>the reimbursement of external experts.</p> <p>1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).</p>	<p>the reimbursement of external experts.</p> <p>1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).</p>	<p>the reimbursement of external experts.</p> <p>1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).</p>
Recital 30			
38	<p>(30) In accordance with Article 191(3) of the Financial Regulation, in no circumstances are the same costs to be financed twice by the Union budget.</p>	<p>(30) In accordance with Article 191(3) of the Financial Regulation, in no circumstances are the same costs to be financed twice by the Union budget. <u><i>There should be mechanisms for ensuring the avoidance of double funding and this aspect should be included in the regular review on the implementation of the Programme.</i></u></p>	<p>(30) In accordance with Article 191(3) of the Financial Regulation, in no circumstances are the same costs to be financed twice by the Union budget.</p>
Recital 30a			
38a		<p><u><i>(30a) In the context of the mid-term review of the MFF 2021-2027, a solid budgetary assessment of the initiative should be carried out in order to provide adequate resources to the Programme.</i></u></p>	


Recital 31			
39	(31) The Commission, in performing certain tasks of a non-regulatory nature, should be able to have recourse, as required and insofar as necessary, to the technical assistance of certain external parties. Other entities involved in the public governance of the Programme should also be able to make use of the same technical assistance in performing tasks entrusted to them under this Regulation.	(31) The Commission, in performing certain tasks of a non-regulatory nature, should be able to have recourse, as required and insofar as necessary, to the technical assistance of certain external parties. Other entities involved in the public governance of the Programme should also be able to make use of the same technical assistance in performing tasks entrusted to them under this Regulation.	(31) The Commission, in performing certain tasks of a non-regulatory nature , should be able to have recourse, as required and insofar as necessary, to the technical assistance of certain external parties, insofar as the Union security interests are preserved . Other entities involved in the public governance of the Programme should also be able to make use of the same technical assistance in performing tasks entrusted to them under this Regulation.
Recital 32			
40	(32) Horizontal financial rules adopted by the European Parliament and by the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union ('TFEU') apply to this Regulation. Those rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes and indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also include a general regime of conditionality for the	(32) Horizontal financial rules adopted by the European Parliament and by the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union ('TFEU') apply to this Regulation. Those rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes and indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also include a general regime of conditionality for the	<i>deleted</i> <i>Duplicates Recital (29)</i>

	protection of the Union budget.	protection of the Union budget.	
<i>Recital 33</i>			
41	(33) Procurement contracts concluded under the Programme for activities financed by the Programme should comply with Union rules. In that context, the Union should also be responsible for defining the objectives to be pursued as regards public procurement.	(33) Procurement contracts concluded under the Programme for activities financed by the Programme should comply with Union rules <u>and the specific principles outlined in this Regulation</u> . In that context, the Union should also be responsible for defining the objectives to be pursued as regards public procurement.	(33) Procurement contracts concluded under the Programme for activities financed by the Programme should comply with Union rules. In that context, the Union should also be responsible for defining the objectives to be pursued as regards public procurement.
<i>Recital 33a</i>			
41a		<u>(33a) The Programme relies on complex and constantly changing technologies. The reliance on such technologies results in uncertainty and risk for public contracts concluded under the Programme, insofar as those contracts involve long-term commitments to equipment or services. Specific measures concerning public contracts are therefore required in addition to the rules laid down in the Financial Regulation. It should thus be possible to award a contract in the form of a conditional stage-payment contract, introduce an amendment, under certain conditions, in the context of its performance, or impose a minimum</u>	



		<u>level of subcontracting. As regards the latter, priority should be given, where possible, to start-ups and SMEs, particularly in order to enable their cross-border participation. Finally, given the technological uncertainties that characterise the Programme's components, contract prices cannot always be forecast accurately and it should therefore be possible to conclude contracts without stipulating a firm fixed price and to include clauses to safeguard the financial interests of the Union.</u>	
Recital 34			
42	(34) Article 154 of the Financial Regulation provides that, on the basis of the results of an ex-ante assessment, the Commission is to be able to rely on the systems and the procedures of the persons or entities entrusted with the implementation of Union funds. If necessary, specific adjustments to those systems and procedures ('supervisory measures'), as well as the arrangements for the existing contracts, should be defined in the corresponding contribution agreement.	(34) Article 154 of the Financial Regulation provides that, on the basis of the results of an ex-ante assessment, the Commission is to be able to rely on the systems and the procedures of the persons or entities entrusted with the implementation of Union funds. If necessary, specific adjustments to those systems and procedures ('supervisory measures'), as well as the arrangements for the existing contracts, should be defined in the corresponding contribution agreement.	Moved to row 50a
Recital 35			
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	(35) In order to meet the objectives of the Programme, it is important to be able to call, where appropriate, on capacities offered by Union public and private entities active in the space domain and also to be able to work at international level with third countries or international organisations. For that reason, it is necessary to provide for the possibility to use all the relevant tools and management methods provided for by the TFEU and the Financial Regulation and joint procurement procedures.	(35) In order to meet the objectives of the Programme, it is important to be able to call, where appropriate, on capacities offered by Union public and private entities active in the space domain and also to be able to work at international level with third countries or international organisations. For that reason, it is necessary to provide for the possibility to use all the relevant tools and management methods provided for by the TFEU and the Financial Regulation and joint procurement procedures.	(35) In order to meet the objectives of the Programme, it is important to be able to call, where appropriate, on capacities offered by Union public and private entities active in the space domain and also to be able to work at international level with third countries or international organisations. For that reason, it is necessary to provide for the possibility to use all the relevant tools and management methods provided for by the Treaty on the Functioning of the European Union (TFEU) and the Financial Regulation and joint procurement procedures.
Recital 36			
44	(36) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹ and Council Regulations (EC, Euratom) No 2988/95 ² , (Euratom, EC) No 2185/96 ³ and (EU) 2017/1939 ⁴ , the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where	(36) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹ and Council Regulations (EC, Euratom) No 2988/95 ² , (Euratom, EC) No 2185/96 ³ and (EU) 2017/1939 ⁴ , the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where	Moved to row 47c

	<p>appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013 the European Anti-Fraud Office (OLAF) has the power to carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁵. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.</p>	<p>appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013 the European Anti-Fraud Office (OLAF) has the power to carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁵. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.</p>	
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	<p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1).</p> <p>2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1).</p> <p>3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).</p> <p>4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).</p> <p>5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).</p>	<p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1).</p> <p>2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1).</p> <p>3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).</p> <p>4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).</p> <p>5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).</p>	
Recital 37			
45	<p>(37) In order to ensure the protection of the financial interests of the Union, it is necessary to require third countries to grant the necessary rights and access required for the authorising officer responsible, OLAF and the Court of Auditors to comprehensively</p>	<p>(37) In order to ensure the protection of the financial interests of the Union, it is necessary to require third countries to grant the necessary rights and access required for the authorising officer responsible, OLAF and the Court of Auditors to comprehensively exercise their</p>	Moved to row 47d

	exercise their respective competences.	respective competences.	
Recital 38			
46	<p>(38) A public-private partnership is the most appropriate scheme to ensure that the objectives of the Programme could be pursued. It would permit to build upon the existing EU satellite communication technological and infrastructural base and to provide robust and innovative governmental services, while allowing the private partner to complement the Programme infrastructure with additional capabilities to offer commercial services through additional own investments. Such a scheme would furthermore optimise deployment and operation costs by sharing development and deployment costs on components common to both governmental and commercial infrastructures, as well as operational costs by allowing a high level of capacity mutualisation. It would stimulate innovation in particular for New Space by enabling the sharing of Research and Development risks between public and private partners.</p>	<p>(38) A public-private partnership is the most appropriate scheme to ensure that the objectives of the Programme could be pursued. It would<u>should</u> permit to build upon the existing EU satellite communication technological and infrastructural base and to provide robust and innovative governmental services, while allowing the<u>and provide incentives</u> private partner<u>partners</u> to complement the Programme infrastructure with additional capabilities to offer<u>for</u> commercial services through additional own investments. Such a scheme would<u>should</u> furthermore optimise deployment and operation costs by sharing development and deployment costs on components common to both governmental and commercial infrastructures, as well as operational costs by allowing a high level of capacity mutualisation. It would<u>should also</u> stimulate innovation in particular for New<u>in the Union's</u> space <u>ecosystem</u> by enabling the sharing of Research and Development risks between public and private partners.</p>	<p>(38) A public-private partnership<u>cooperation</u> is the most appropriate scheme to ensure that the objectives of the Programme could be pursued. It would permit to build upon the existing EU satellite communication technological and infrastructural base, including private assets, and to provide robust and innovative governmental services, while allowing the private partner to complement the Programme infrastructure with additional capabilities to offer commercial services on market conditions through additional own investments. Such a scheme would furthermore optimise deployment and operation costs by sharing development and deployment costs on components<u>subsystems</u> common to both governmental and commercial infrastructures, as well as operational costs by allowing a high level of capacity mutualisation. It would stimulate innovation in particular for New Space companies by enabling the sharing of Research and Development risks between public and private partners.</p>

Recital 39			
47	<p>(39) The implementation model could take the form of a concession contract or other contractual arrangements. Regardless of the implementation model, several key principles should be put in place. The contract should establish a clear distribution of tasks and responsibilities between the public and private partners. Thus, it should avoid any overcompensation of the private partner for the provision of governmental services, allow the provision of commercial services to be established by the private sector and ensure an appropriate prioritisation of governmental user needs. The Commission should be able to assess and approve such services to ensure that the Union's essential interests and Programme's objectives are preserved and adequate safeguards are put in place to prevent potential distortions of competition stemming from the provision of commercial services; such safeguards could include separation of accounts between governmental and commercial services, open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services. The public-private partnership should foster the participation of</p>	<p>(39) The implementation model could take the form of a concession contract or other contractual arrangements. Regardless of the implementation model, several key principles should be put in place. The contract should establish a clear distribution of tasks and responsibilities between the public and private partners. Thus, it should avoid any overcompensation of, <u>together with a clear allocation of risks between them, with a view to ensuring that the private partner assumes responsibility for the consequences of any failings for which it is liable. The contract should ensure that private partners do not receive overcompensation</u> for the provision of governmental services, allow the provision of commercial services to be established by the private sector and ensure an appropriate prioritisation of governmental user needs. The Commission should be able to assess and approve such services to ensure that the Union's essential interests and Programme's objectives are preserved. It is important that there are measures and adequate safeguards are put in place to <u>ensure that those essential interests and objectives are preserved. In particular, the Commission should</u></p>	<p>(39) TheFor implementation model could take the form of a concession contract or other contractual arrangements. Regardless of the implementation model, several key principles should be put in place. The contractProgramme, the concession, supply, service, works or mixed contracts should establish a clear distribution of tasks and responsibilities between the public and private partners. Thus, it should and include adequate safeguards to avoid any overcompensation of the private partner for the provision of governmental services, allow the provision of commercial services to be established by the private sector and ensure an appropriate prioritisation of governmental user needs. The Commission should be able to assess and approve such services to ensure that the Union's essential interests and Programme's objectives are preserved and adequate safeguards are put in place to prevent potential distortions of competition stemming from or potential distortions of competition stemming from the provision of commercial services. Such safeguards could include separation of accounts between governmental and commercial services, fair, reasonable and non-</p>

	start-ups and SMEs along the whole value chain of the concession and across Member States, hereby incentivising the development of innovative and disruptive technologies	<u>be able to take necessary measures to ensure service continuity in the event of that the contractor is unable to fulfil its obligations. The contract should prevent, amongst other things, conflicts of interest and</u> potential distortions of competition stemming from the provision of commercial services; such safeguards. That could include <u>be done by including</u> separation of accounts between governmental and commercial services, open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services. The public-private partnership should foster the participation of start-ups and SMEs along the whole value chain of the concession and across Member States, hereby incentivising the development of innovative and disruptive technologies.	discriminatory access to infrastructure necessary for the provision of commercial services. Therefore commercial services should be available to existing terrestrial services providers under transparent and non-discriminatory conditions. The contracts should allow the provision of commercial services; such safeguards could include separation of accounts between governmental and commercial services, open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services by the private sector and ensure an appropriate prioritisation of governmental user needs. The public-private partnership The contracts should foster the participation of start-ups and SMEs along the whole value chain of the concession and across Member States, hereby incentivising the development of innovative and disruptive technologies.
Recital 39a			
47a			(39a) The contracts procured under this Programme should ensure that the technology deployed enables the highest possible standards when it comes to sustainability as well as energy

			and resource efficiency. An accessible infrastructure is a crucial factor in the green and digital transition of our society.
Recital 56			
47b	<p>(56) An important objective of the Programme is to ensure the security of the Union and the Member States and to strengthen the resilience across key technologies and value chains. In specific cases, that objective requires conditions for eligibility and participation to be set, to ensure the protection of the integrity, security and resilience of the operational systems of the Union. That should not undermine the need for competitiveness and cost-effectiveness.</p> <p>Moved reference text</p>	<p>(5639a) An important objective of the Programme is to ensure the security of the Union and the Member States and to strengthen the resilience across key technologies and value chains. In specific cases, that objective requires conditions for eligibility and participation to be set, to ensure the protection of the integrity, security and resilience of the operational systems of the Union. <u>Those requirements should be established in close cooperation with Member States, taking into account established security accreditations.</u> That should not undermine the need for competitiveness and cost-effectiveness.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(5639b) An important objective of the Programme is to ensure the security of the Union and the Member States and to strengthen the resilience across key technologies and value chains while preserving an open economy. In specific cases, that objective requires conditions for eligibility and participation to be set, to ensure the protection of the integrity, security and resilience of the operational systems of the Union. That should not undermine the need for competitiveness and cost-effectiveness.</p> <p>Moved from row 64</p>
Recital 36			
47c	<p>(36) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the</p>	<p>(3639b) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the</p>	<p>(3639c) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the</p>

	<p>Council¹ and Council Regulations (EC, Euratom) No 2988/95², (Euratom, EC) No 2185/96³ and (EU) 2017/1939⁴, the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013 the European Anti-Fraud Office (OLAF) has the power to carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁵. In accordance with the Financial Regulation, any person or entity receiving Union funds is to</p>	<p>Council¹ and Council Regulations (EC, Euratom) No 2988/95², (Euratom, EC) No 2185/96³ and (EU) 2017/1939⁴, the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013 the European Anti-Fraud Office (OLAF) has the power to carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁵. In accordance with the Financial Regulation, any person or entity receiving Union funds is to</p>	<p>Council¹ and Council Regulations (EC, Euratom) No 2988/95², (Euratom, EC) No 2185/96³ and (EU) 2017/1939⁴, the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013 the European Anti-Fraud Office (OLAF) has the power to carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁵. In accordance with the Financial Regulation, any person or entity receiving Union funds is to</p>
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	<p>fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1). 3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2). 4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1). 5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).</p>	<p>fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1). 3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2). 4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1). 5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).</p>	<p>fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1). 3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2). 4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1). 5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).</p>
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	Moved reference text	Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	Moved from row 44
Recital 37			
47d	<p>(37) In order to ensure the protection of the financial interests of the Union, it is necessary to require third countries to grant the necessary rights and access required for the authorising officer responsible, OLAF and the Court of Auditors to comprehensively exercise their respective competences.</p> <p>Moved reference text</p>	<p>(37)^{39c} In order to ensure the protection of the financial interests of the Union, it is necessary to require third countries to grant the necessary rights and access required for the authorising officer responsible, OLAF and the Court of Auditors to comprehensively exercise their respective competences.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(37)^{39d} In order to ensure the protection of the financial interests of the Union, it is necessary to require third countries to grant the necessary rights and access required for the authorising officer responsible, OLAF and the Court of Auditors to comprehensively exercise their respective competences.</p> <p>Moved from row 45</p>
Recital 39d			
47e		<p><u><i>(39d) In line with the objectives of the European Green Deal, the Programme should minimise, to the extent possible, its environmental impact. While the space-based assets do not themselves emit greenhouse gases while in use, their manufacturing and associated ground facilities do have an environmental impact. Measures should be adopted to mitigate that impact. To that end, the procurement referred under the</i></u></p>	



		<p><u>Programme should include principles and measures on sustainability, such as provisions to minimise and offset the greenhouse gas emissions generated by the development, production and deployment of the infrastructure and measures to prevent light pollution such as the impact on ground-based astronomical observations, including the on wide-field surveys in the optical and infrared, as well as measures to mitigate air pollution from re-entering satellites.</u></p>	
Recital 39e			
47f		<p><u>(39e) Given the growing number of spacecraft and debris in orbit, the new European constellation should also satisfy space sustainability criteria and be an example of good practices in space traffic management and in space surveillance and tracking (SST), in order to reduce the amount of debris produced, prevent on-orbit break-ups and on-orbit collision, and provide appropriate end-of-life spacecraft measures. As legitimate concerns on the protection of space environment that are being discussed (e.g. in the United Nations' Committee on the Peaceful Uses of Outer Space (COPUOS) and</u></p>	

		<u>Inter-Agency Space Debris Coordination Committee (IADC)), it is of the uttermost importance that the Union shows leadership in space activities sustainability.</u>	
Recital 39f			
47g		<u>(39f) Union-wide initiatives, such as the secure connectivity initiative, are shaped by the broad participation of innovative small, medium and large enterprises and start-ups from the up-, mid- and down-stream space sector all over the Union. In recent years, some space actors have challenged the space sector, in particular start-ups and SMEs developed innovative, market-driven space technologies and applications, sometimes with different business models. In order to ensure the Union's space ecosystem competitiveness, this Programme should maximise the development and use of innovative and disruptive technologies as well as innovative business models, in particular by start-ups and SMEs developing market-driven space technologies and applications, while covering the whole space value chain, encompassing upstream, midstream and downstream segment.</u>	

Recital 39g			
47h		<p><u>(39g) To optimise the efficiency and impact of the Programme, actions should be taken to promote the use and development of open standards, open source technologies and interoperability in the architecture of the secure connectivity system. A more open conception of the system could allow better synergies with other components of the Union Space Programme or national services and applications, optimise costs by avoiding duplication in the development of the same technology, and improve reliability.</u></p>	
Recital 40			
48	<p>(40) Sound public governance of the Programme requires the clear distribution of responsibilities and tasks among the different actors involved to avoid unnecessary overlap and reduce cost overruns and delays. All the actors of the governance should support, in their field of competence and in accordance with their responsibilities, the achievement of the objectives of the Programme.</p>	<p>(40) Sound public governance of the Programme requires the clear distribution of responsibilities and tasks among the different actors involved to avoid unnecessary overlap and reduce cost overruns and delays. All the actors of the governance should support, in their field of competence and in accordance with their responsibilities, the achievement of the objectives of the Programme.</p>	<p>(40) Sound public governance of the Programme requires the clear distribution of responsibilities and tasks among the different actors involved to avoid unnecessary overlap and reduce cost overruns and delays. All the actors of the governance should support, in their field of competence and in accordance with their responsibilities, the achievement of the objectives of the Programme.</p>
Recital 41			
49			

	<p>(41) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They are therefore able to make a major contribution to the Programme, especially in its implementation. They might cooperate with the Union to promote the Programme's services and applications and ensure coherence between the relevant national initiatives and the Programme. The Commission might be able to mobilise the means at Member States' disposal, benefit from their assistance and, subject to mutually agreed conditions, entrust the Member States with non-regulatory tasks in the implementation of the Programme. Moreover, the Member States concerned should take all necessary measures to ensure the protection of the ground infrastructure established on their territories. In addition, Member States and the Commission should work together and with appropriate international bodies and regulatory authorities to ensure that the frequencies necessary for the Programme are available and protected at the adequate level to allow for the full development and implementation of applications based on the services offered, in compliance with Decision No</p>	<p>(41) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They are therefore able to make a major contribution to the Programme, especially in its implementation. They might<u>should</u> cooperate with the Union to promote the Programme's services and applications and ensure coherence between the relevant national initiatives and the Programme. The Commission might<u>should</u> be able to mobilise the means at Member States' disposal, benefit from their assistance and, subject to mutually agreed conditions, entrust the Member States with non-regulatory tasks in the implementation of the Programme. Moreover, the Member States concerned should take all necessary measures to ensure the protection of the ground infrastructure established on their territories. In addition, Member States and the Commission should work together and with appropriate international bodies and regulatory authorities to ensure that the frequencies necessary for the Programme are available and protected at the adequate level to allow for the full development and implementation of applications based on the services offered, in compliance with Decision No</p>	<p>(41) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They are therefore able to make a major contribution to the Programme, especially in its implementation. They might cooperate with the Union to promote the Programme's services and applications and ensure coherence between the relevant national initiatives and the Programme. The Commission might be able to mobilise the means at Member States' disposal, benefit from their assistance and, subject to mutually agreed conditions, entrust the Member States with non-regulatory tasks in the implementation of the Programme. Moreover, the Member States concerned should take all necessary measures to ensure the protection of the ground infrastructure established<u>located</u> on their territories. In addition, Member States and the Commission should work together and with appropriate international bodies and regulatory authorities to<u>may</u> ensure that the frequencies necessary for the Programme are available and protected at the adequate level to allow for the full development and implementation of applications based on the services offered, in compliance with Decision No</p>
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Recital 42			
50	<p>(42) In accordance with Article 17 of the Treaty on European Union ('TEU') and as a promoter of the Union's general interest, it is the Commission's responsibility to implement the Programme, assume overall responsibility and promote its use. In order to optimise the resources and competences of the various stakeholders, the Commission should be able to entrust certain tasks to other entities under justifiable circumstances. Having the overall responsibility for the Programme, the Commission should determine the main technical and operational requirements necessary to implement systems and services evolution. It should do so after having consulted Member States' experts, users and other relevant stakeholders. Finally, in</p>	<p>(42) In accordance with Article 17 of the Treaty on European Union ('TEU') and as a promoter of the Union's general interest, it is the Commission's responsibility to implement the Programme, assume overall responsibility and promote its use. In order to optimise the resources and competences of the various stakeholders, the Commission should be able to entrust certain tasks to other entities under justifiable circumstances. Having the overall responsibility for the Programme, the Commission should determine the main technical and operational requirements necessary to implement systems and services evolution. It should do so after having consulted Member States' experts, users and other relevant stakeholders. Finally, in accordance</p>	<p>(42) In accordance with Article 17 of the Treaty on European Union ('TEUTEU') and as a promoter of the Union's general interest, it is the Commission's responsibility to implement the Programme, assume overall responsibility and promote its use. In order to optimise the resources and competences of the various stakeholders, the Commission should be able to entrust certain tasks to other entities under justifiable circumstances. Having the overall responsibility for the Programme, The Commission should determine the main technical and operational requirements necessary to implement systems and services evolution. It should do so after having consulted Member States' experts, users and other relevant public or private stakeholders.</p>

	<p>accordance with Article 4(3) TFEU, the exercise of competence by the Union does not result in Member States being prevented from exercising their competences. However, to make good use of the Union funds, it is appropriate that the Commission ensures, as far as possible, the coherence of activities performed in the context of the Programme, with those of the Member States.</p>	<p>with Article 4(3) TFEU, the exercise of competence by the Union does not result in Member States being prevented from exercising their competences. However, to make good use of the Union funds, it is appropriate that the Commission ensures, as far as possible, the coherence of activities performed in the context of the Programme, with those of the Member States, <u>including those funded under their recovery and resilience plans</u>.</p>	<p>Finally, in accordance with Article 4(3) TFEU, the exercise of competence by the Union does not result in Member States being prevented from exercising their competences. However, to make good use of the Union funds, it is appropriate that the Commission ensures, as far as possible, the coherence of activities performed in the context of the Programme, with those of the Member States, without creating any unnecessary duplication of effort.</p>
Recital 34			
50a	<p>(34) Article 154 of the Financial Regulation provides that, on the basis of the results of an ex-ante assessment, the Commission is to be able to rely on the systems and the procedures of the persons or entities entrusted with the implementation of Union funds. If necessary, specific adjustments to those systems and procedures ('supervisory measures'), as well as the arrangements for the existing contracts, should be defined in the corresponding contribution agreement.</p> <p>Moved reference text</p>	<p>(34)^{42a} Article 154 of the Financial Regulation provides that, on the basis of the results of an ex-ante assessment, the Commission is to be able to rely on the systems and the procedures of the persons or entities entrusted with the implementation of Union funds. If necessary, specific adjustments to those systems and procedures ('supervisory measures'), as well as the arrangements for the existing contracts, should be defined in the corresponding contribution agreement.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(34)^{42a} Article 154 of the Financial Regulation provides that, on the basis of the results of an ex-ante assessment, the Commission is to be able to rely on the systems and the procedures of the persons or entities entrusted with the implementation of Union funds. If necessary, specific adjustments to those systems and procedures ('supervisory measures'), as well as the arrangements for the existing contracts, should be defined in the corresponding contribution agreement.</p> <p>Moved from row 42</p>

Recital 60			
50b	<p>(60) Given its worldwide coverage, the Programme has a strong international dimension. International partners, their governments and citizens will be recipients of the Programme's array of services with accrued benefits to the international cooperation of the Union and the Member States with these partners. For matters relating to the Programme, the Commission might coordinate, on behalf of the Union and in its field of competence, the activities on the international scene. In particular, the Commission, as regards the Programme, would defend the interests of the Union and the Member States in international fora, including in the area of frequencies, without prejudice to Member States' competence in that area.</p> <p>Moved reference text</p>	<p>(60)^{42b} Given its worldwide coverage, the Programme has a strong international dimension. International partners, their governments and citizens will be recipients of the Programme's array of services with accrued benefits to the international cooperation of the Union and the Member States with these partners. For matters relating to the Programme, the Commission might coordinate, on behalf of the Union and in its field of competence, the activities on the international scene. In particular, the Commission, as regards the Programme, would defend the interests of the Union and the Member States in international fora, including in the area of frequencies, without prejudice to Member States' competence in that area.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(60)^{42b} Given its worldwide coverage, the Programme has a strong international dimension. International partners, their governments and citizens will be recipients of the Programme's array of services with accrued benefits to the international cooperation of the Union and the Member States with these partners. For matters relating to the Programme, the Commission might coordinate, on behalf of the Union and in its field of competence, the activities on the international scene. In particular, the Commission, as regards the Programme, would defend the interests of the Union and the Member States in international fora, including in the area of frequencies, without prejudice to Member States' competence in that area.</p> <p>Moved from row 68</p>
Recital 43			
51	<p>(43) The mission of the European Union Agency for the Space Programme ('the Agency') is to contribute to the Programme, particularly as regards security</p>	<p>(43) The mission of the European Union Agency for the Space Programme ('the Agency') is to contribute to the Programme, particularly as regards security</p>	<p>(43) The mission of the European Union Agency for the Space Programme ('the Agency') is to contribute to the Programme, particularly as regards security</p>

	<p>accreditation. Certain tasks linked to those areas should therefore be entrusted to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible for the security accreditation of the governmental services and infrastructure. Furthermore, the Agency should perform the tasks which the Commission confers on it. When entrusting tasks to the Agency, adequate human, administrative and financial resources should be made available.</p>	<p>accreditation <u>and operational security</u>. Certain tasks linked to those areas should therefore be entrusted to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible for the security accreditation of the governmental services and infrastructure. <u>Where possible, the Agency should achieve synergies and efficiencies, for instance those based on expertise developed throughout the European Global Navigation Satellite System (EGNSS) lifecycles.</u> Furthermore, the Agency should perform the tasks which the Commission confers on it. When entrusting tasks to the Agency, <u>either as own or as delegated tasks,</u> adequate human, administrative and financial resources should be made available. <u>The resources of the Agency should be evaluated on an ongoing basis, to enable the Agency to fully carry out its tasks and missions. For this purpose, the Commission should accordingly propose adequate budget for the Agency in the framework of the annual budgetary procedure.</u></p>	<p>accreditation. Certain tasks linked to those areas should therefore be entrusted to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible, through its Security Accreditation Body, for the security accreditation of the governmental services and infrastructure. Furthermore, the Agency should perform the tasks which entrusted by the Commission confers on it. When entrusting tasks to the Agency, adequate human, administrative and financial resources should be made available.</p>
Recital 44			
52	<p>(44) Building on the expertise developed in the past years in management, operation and service</p>	<p>(44) Building on the expertise developed in the past years in management, operation and service</p>	<p>(44) Building on the expertise developed in the past years in management, operation and service</p>

	provision related to the Galileo and EGNOS components of the Union Space Programme, the Agency is the most appropriate body to implement, under the supervision of the Commission, all the tasks relating to the operation of the governmental infrastructure and provision of governmental services. The Agency should therefore be entrusted with the operation of the governmental infrastructure and the provision of governmental services.	provision related to the Galileo and EGNOS components of the Union Space Programme, the Agency is the most appropriate body, <u>and should develop the necessary capacities</u> to implement, under the supervision of the Commission, all the tasks relating to the operation of the governmental infrastructure and provision of governmental services. The Agency should therefore be entrusted with the operation of the governmental infrastructure and the provision of governmental services.	provision related to the Galileo and EGNOS components of the Union Space Programme, the Agency is the most appropriate body to implement, under the supervision of the Commission, all the tasks relating to the operation of the governmental infrastructure and provision of governmental services. The Agency should therefore be entrusted with the operation of the provision of governmental infrastructure and the provision of services and should be able to be entrusted with all or part of the operational management of the governmental services infrastructure.
Recital 45			
53	(45) In order to ensure the operation of the governmental infrastructure and facilitate the provision of the governmental services, the Agency should be allowed to entrust, by means of contribution agreements, specific activities to other entities, in areas of their respective competence, under the conditions of indirect management applying to the Commission.	(45) In order to ensure the operation of the governmental infrastructure and facilitate the provision of the governmental services, the Agency should be allowed to entrust, by means of contribution agreements, specific activities to other entities, in areas of their respective competence, under the conditions of indirect management applying to the Commission <u>as laid down in the Financial Regulation</u> .	(45) In order to ensure the operation of the governmental infrastructure and facilitate the provision of the governmental services, the Agency should be allowed to entrust, by means of contribution agreements, specific activities to other entities, in areas of their respective competence, under the conditions of indirect management applying to the Commission.
Recital 46			
54			

	<p>(46) ESA is an international organisation with extensive expertise in the space domain including in satellite communication and is therefore an important partner in the implementation of the different aspects of the Union's space policy. In that regard, ESA should be able to provide technical expertise to the Commission, including for the preparation of the technical aspects of the Programme. To this purpose, ESA may be entrusted with the development and validation activities of the Programme, and support the evaluation of the contracts concluded in the context of the implementation of the Programme.</p>	<p>(46) ESA is an international organisation with extensive expertise in the space domain including in satellite communication and is therefore an important partner in the implementation of the different aspects of the Union's space policy. In that regard, ESA should be able to provide technical expertise to the Commission, including for the preparation of the technical aspects of the Programme, <u>as well as the inclusion of new entrants, start-ups and SMEs</u>. To this purpose, ESA may be entrusted with the development and validation activities of the Programme, and support the evaluation of the contracts concluded in the context of the implementation of the Programme.</p>	<p>(46) ESA is an international organisation with extensive expertise in the space domain including in satellite communication and is therefore an important partner in the implementation of the different aspects of the Union's space policy. In that regard, ESA should be able to provide technical expertise to the Commission, including for the preparation of specifications and implementation of the technical aspects of the Programme. To this purpose, ESA mayshould be able to be entrusted with the supervision of the development and validation activities of the Programme, and support the evaluation of the contracts concluded in the context of the implementation of the Programme.</p>
Recital 47			
55	<p>(47) Owing to the importance of space-related activities for the Union economy and the lives of Union citizens, achieving and maintaining a high degree of security should be a key priority for the Programme, particularly in order to safeguard the interests of the Union and of the Member States, including in relation to classified and sensitive non-classified information.</p>	<p>(47) Owing to the importance of space-related activities for the Union economy and the lives of Union citizens, achieving and maintaining a high degree of security should be a key priority for the Programme, particularly in order to safeguard the interests of the Union and of the Member States, including in relation to classified and sensitive non-classified information.</p>	<p>(47) Owing to the importance of space-related activities for the Union economy and the lives of Union citizens, achieving and maintaining a high degree of security should be a key priority for the Programme, particularly in order to safeguard the interests of the Union and of the Member States, including in relation to classified and sensitive non-classified information.</p>

Recital 48		
56	<p>(48) Under Article 17 TEU, the Commission is responsible of the management of programmes which, in accordance with rules set out in the Financial Regulation, may be sub-delegated to third parties, in indirect management. In that context, the Commission must ensure that the tasks performed by third parties to implement the Programme in indirect management do not undermine the security of the Programme in particular as regards to the control of classified information. It should therefore be clarified that where the Commission entrusts ESA to carry out tasks under the Programme, the corresponding contribution agreements must ensure that classified information generated by ESA is considered as EU classified information ('EUCI') in accordance with Commission Decision (EU, Euratom) 2015/444¹ and Council Decision 2013/488/EU² created under the authority of the Commission.</p> <p>1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). 2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).</p>	<p>(48) Under Article 17 TEU, the Commission is responsible of the management of programmes which, in accordance with rules set out in the Financial Regulation, may be sub-delegated to third parties, in indirect management. In that context, the Commission must ensure that the tasks performed by third parties to implement the Programme in indirect management do not undermine the security of the Programme in particular as regards to the control of classified information. It should therefore be clarified that where the Commission entrusts ESA to carry out tasks under the Programme, the corresponding contribution agreements must ensure that classified information generated by ESA is considered as EU classified information ('EUCI') in accordance with Commission Decision (EU, Euratom) 2015/444¹ and Council Decision 2013/488/EU² created under the authority of the Commission.</p> <p>1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). 2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).</p> <p>Text of EP mandate copied here for</p>

Moved to row 63a

		comparison purposes only, no structural change of EP mandate.	
Recital 49			
57	<p>(49) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision (CFSP) 2021/698¹.</p> <p>1. Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and services deployed, operated and used under the Union Space Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170, 12.5.2021, p. 178).</p>	<p>(49) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision (CFSP) 2021/698¹.</p> <p>1. Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and services deployed, operated and used under the Union Space Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170, 12.5.2021, p. 178).</p>	Moved to row 61a
Recital 50			
58	<p>(50) Given the specific expertise of the EEAS and its regular contact with authorities of third countries and international organisations, the EEAS should be able to assist the Commission in performing certain tasks relating to the security of the Programme in the field of external relations, in accordance with Council Decision 2010/427/EU¹.</p>	<p>(50) Given the specific expertise of the EEAS and its regular contact with authorities of third countries and international organisations, the EEAS should be able to assist the Commission in performing certain tasks relating to the security of the Programme in the field of external relations, in accordance with Council Decision 2010/427/EU¹.</p>	<p>(50) Given the specific expertise of the EEAS and its regular contact with authorities of third countries and international organisations, the EEAS should be able to assist the Commission in performing certain tasks relating to the security of the Programme in the field of external relations, in accordance with Council Decision 2010/427/EU¹.</p>

	1. Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) (OJ L 201, 3.8.2010, p. 30).	1. Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) (OJ L 201, 3.8.2010, p. 30).	1. Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) (OJ L 201, 3.8.2010, p. 30).
Recital 51			
59	(51) Without prejudice to the sole responsibility of the Member States in the area of national security, as provided for in Article 4(2) TEU, and to the right of the Member States to protect their essential security interests in accordance with Article 346 TFEU, a specific governance of security should be established to ensure a smooth implementation of the Programme. That governance should be based on three key principles. Firstly, it is imperative that Member States' extensive, unique experience in security matters be taken into consideration to the greatest possible extent. Secondly, in order to prevent conflicts of interest and any shortcomings in applying security rules, operational functions should be segregated from security accreditation functions. Thirdly, the entity in charge of managing all or part of the Programme's infrastructure is also the best placed to manage the security of the tasks entrusted to it. The security of the Programme would build upon the experience gained in the implementation of the Union Space	(51) Without prejudice to the sole responsibility of the Member States in the area of national security, as provided for in Article 4(2) TEU, and to the right of the Member States to protect their essential security interests in accordance with Article 346 TFEU, a specific governance of security should be established to ensure a smooth implementation of the Programme. That governance should be based on three key principles. Firstly, it is imperative that Member States' extensive, unique experience in security matters be taken into consideration to the greatest possible extent. Secondly, in order to prevent conflicts of interest and any shortcomings in applying security rules, operational functions should be segregated from security accreditation functions. Thirdly, the entity in charge of managing all or part of the Programme's infrastructure is also the best placed to manage the security of the tasks entrusted to it. The security of the Programme would build upon the experience gained in the implementation of the Union Space	(51) Without prejudice to the sole responsibility of the Member States in the area of national security, as provided for in Article 4(2) TEU, and to the right of the Member States to protect their essential security interests in accordance with Article 346 TFEU, a specific governance of security should be established to ensure a smooth implementation of the Programme. That governance should be based on three key principles. Firstly, it is imperative that Member States' extensive, unique experience in security matters be taken into consideration to the greatest possible extent. Secondly, in order to prevent conflicts of interest and any shortcomings in applying security rules, operational functions should be segregated from security accreditation functions. Thirdly, the entity in charge of managing all or part of the Programme's infrastructure is also the best placed placed sui ted to manage the security of the tasks entrusted to it. The security of the Programme would build upon the experience gained in the implementation of the Union

	<p>Programme over the past years. Sound security governance also requires that roles be appropriately distributed among the various players. As it is responsible for the Programme, the Commission, without prejudice to Member States prerogatives in the area of national security, should determine the general security requirements applicable to the Programme.</p>	<p>Programme over the past years. Sound security governance also requires that roles be appropriately distributed among the various players. As it is responsible for the Programme, the Commission, without prejudice to Member States prerogatives in the area of national security, should determine the general security requirements applicable to the Programme.</p>	<p>Space Programme over the past years. Sound security governance also requires that roles be appropriately distributed among the various players. As it is responsible for the Programme, the Commission, without prejudice to Member States prerogatives in the area of national security, should determine together with the Member States the general security requirements applicable to the Programme. In particular in the area of classified information, the security governance of the Programme should reflect the role and competences that the Council and Member States have in the evaluation and approval of cryptographic products for protecting EUCL.</p>
Recital 52			
60	<p>(52) The cybersecurity of the Programme infrastructures, both ground and space, is key to ensuring the continuity of the service and the operations of the system. The need to protect the system and its services against cyberattacks, including by making use of new technologies, should therefore be duly taken into account when establishing security requirements.</p>	<p>(52) The cybersecurity, <u>physical security and redundancy measures</u> of the Programme infrastructures, both ground and space, is<u>are</u> key to ensuring the continuity of the service and the operations of the system. The<u>Cybersecurity threats to satellites are of concern for space sustainability and therefore</u> need to protect the system and its services against cyberattacks, including by making use of new technologies, should therefore be duly taken into</p>	<p>(52) The cybersecurity of the Programme infrastructures<u>infrastructure</u>, both ground and space as well as its physical redundancy, is key to ensuring the continuity of the service and the operations of the system. The need to protect the system and its services against cyberattacks, including by making use of new technologies and to support response to and recovery from such cyberattacks, should therefore</p>

		account when establishing security requirements.	be duly taken into account when establishing security requirements.
Recital 53			
61	(53) Where appropriate, after the risk and threat analysis, the Commission should identify a security monitoring structure. That security monitoring structure should be the entity responding to instructions developed under the scope of Decision (CFSP) 2021/698.	(53) Where appropriate, after the risk and threat analysis, the Commission should identify a security monitoring structure. That security monitoring structure should be the entity responding <u>respond</u> to instructions developed under the scope of Decision (CFSP) 2021/698. <u>In order to benefit from synergies and cost savings, that structure should be based on the experience and know-how from operating the Galileo Security Monitoring Centre referred to in Article 34(5), point (b) of Regulation (EU) 2021/696.</u>	(53) Where appropriate, after the risk and threat analysis, the Commission should identify a security monitoring structure. That security monitoring structure should be the entity responding to instructions developed under the scope of Decision (CFSP) 2021/698.
Recital 49			
61a	(49) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision (CFSP) 2021/698 ¹ . 1. Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and	(49 <u>53a</u>) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision (CFSP) 2021/698 ¹ . 1. Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and	(49 <u>53a</u>) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision (CFSP) 2021/698 ¹ . 1. Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and

	<p>services deployed, operated and used under the Union Space Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170, 12.5.2021, p. 178).</p> <p>Moved reference text</p>	<p>services deployed, operated and used under the Union Space Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170, 12.5.2021, p. 178).</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>services deployed, operated and used under the Union Space Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170, 12.5.2021, p. 178).</p> <p>Moved from row 57</p>
Recital 54			
62	<p>(54) The governmental services provided by the Programme will be used by the Union's governmental actors in security and safety critical missions. Therefore, such services and infrastructure should be subject to security accreditation.</p>	<p>(54) The governmental services provided by the Programme will be used by the Union's governmental actors in security and safety critical missions. Therefore, such services and infrastructure should be subject to security accreditation.</p>	<p>(54) The governmental services provided by the Programme will be used by the Union's governmental actors in security, defence, and safety critical missions and operations as well as protection of critical infrastructure. Therefore, such services and infrastructure should be subject to security accreditation.</p>
Recital 55			
63	<p>(55) It is indispensable that security accreditation activities be carried out on the basis of collective responsibility for the security of the Union and its Member States, by endeavouring to build consensus and involving all those concerned with the issue of security, and that a procedure for permanent risk monitoring be put in place. It is also necessary that technical security accreditation activities are conducted</p>	<p>(55) It is indispensable that security accreditation activities be carried out on the basis of collective responsibility for the security of the Union and its Member States, by endeavouring to build consensus and involving all those concerned with the issue of security, and that a procedure for permanent risk monitoring be put in place. It is also necessary that technical security accreditation activities are conducted</p>	<p>(55) It is indispensable that security accreditation activities be carried out on the basis of collective responsibility for the security of the Union and its Member States, by endeavouring to build consensus and involving all those concerned with the issue of security, and that a procedure for permanent risk monitoring be put in place. It is also necessary that technical security accreditation activities are conducted</p>


	by professionals who are duly qualified in the field of accreditation of complex systems and who have an adequate level of security clearance.	by professionals who are duly qualified in the field of accreditation of complex systems and who have an adequate level of security clearance.	by professionals who are duly qualified in the field of accreditation of complex systems and who have an adequate level of security clearance.
Recital 48			
63a	<p>(48) Under Article 17 TEU, the Commission is responsible of the management of programmes which, in accordance with rules set out in the Financial Regulation, may be sub-delegated to third parties, in indirect management. In that context, the Commission must ensure that the tasks performed by third parties to implement the Programme in indirect management do not undermine the security of the Programme in particular as regards to the control of classified information. It should therefore be clarified that where the Commission entrusts ESA to carry out tasks under the Programme, the corresponding contribution agreements must ensure that classified information generated by ESA is considered as EU classified information ('EUCI') in accordance with Commission Decision (EU, Euratom) 2015/444¹ and Council Decision 2013/488/EU² created under the authority of the Commission.</p> <p>¹. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security</p>	<p>(4855a) Under Article 17 TEU, the Commission is responsible of the management of programmes which, in accordance with rules set out in the Financial Regulation, may be sub-delegated to third parties, in indirect management. In that context, the Commission must ensure that the tasks performed by third parties to implement the Programme in indirect management do not undermine the security of the Programme in particular as regards to the control of classified information. It should therefore be clarified that where the Commission entrusts ESA to carry out tasks under the Programme, the corresponding contribution agreements must ensure that classified information generated by ESA is considered as EU classified information ('EUCI') in accordance with Commission Decision (EU, Euratom) 2015/444¹ and Council Decision 2013/488/EU² created under the authority of the Commission.</p> <p>¹. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security</p>	<p>(4855a) Under Article 17 TEU, the Commission is responsible of the management of programmes which, in accordance with rules set out in the Financial Regulation, may be sub-delegated to third parties, in indirect management. In that context, the Commission must ensure that the tasks performed by third parties to implement the Programme in indirect management do not undermine the security of the Programme in particular as regards to the control of classified information. It should therefore be clarified that where the Commission entrusts ESA to carry out tasks under the Programme, the corresponding contribution agreements must ensure that classified information generated by ESA is considered as EU classified information ('EUCI') in accordance with Commission Decision (EU, Euratom) 2015/444¹ and Council Decision 2013/488/EU² created under the authority of the Commission.</p> <p>¹. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security</p>

	<p>rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). 2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).</p> <p>Moved reference text</p>	<p>rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). 2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). 2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).</p> <p>Moved from row 56</p>
Recital 56			
64	<p>(56) An important objective of the Programme is to ensure the security of the Union and the Member States and to strengthen the resilience across key technologies and value chains. In specific cases, that objective requires conditions for eligibility and participation to be set, to ensure the protection of the integrity, security and resilience of the operational systems of the Union. That should not undermine the need for competitiveness and cost-effectiveness.</p>	<p>(56) An important objective of the Programme is to ensure the security of the Union and the Member States and to strengthen the resilience across key technologies and value chains. In specific cases, that objective requires conditions for eligibility and participation to be set, to ensure the protection of the integrity, security and resilience of the operational systems of the Union.</p> <p><u>Those requirements should be established in close cooperation with Member States, taking into account established security accreditations.</u></p> <p>That should not undermine the need for competitiveness and cost-effectiveness.</p>	<p>Moved to row 47b</p>
Recital 57			
65	<p>(57) Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the</p>	<p>(57) Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the</p>	<p>Moved to row 24a</p>



	location of such infrastructure should be determined by the Commission. The deployment of the ground governmental infrastructure of the Programme should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence.	location of such infrastructure should be determined by the Commission. The deployment of the ground governmental infrastructure of the Programme should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence. <u>When determining the location, the Commission should, as far as possible, seek synergies with existing infrastructure of components of the Union Space Programme and endeavour to achieve geographical balance. For the sake of synergies, cost savings and security, the integration of the ground infrastructure with the Union Space Programme's components should be assessed in the first instance. In the second instance, the Commission should, where possible, take into consideration the geographical balance among the Member States to locate the ground infrastructure in the Union.</u>	
Recital 58			
66	(58) The Programme's governmental services will be used in security and safety critical missions and operations by Union and Member State actors. Therefore,	(58) The Programme's governmental services will be used in security and safety critical missions and operations by Union and Member State actors. Therefore, in order to	(58) The Programme's governmental services will would also be used in security and safety critical missions and operations by Union and Member State actors. Therefore, in

	in order to protect the essential security interest of the Union and its Member States, measures to ensure a necessary level of non-dependence on third parties (third countries and entities from third countries) are needed, covering all Programme elements. This includes space and ground technologies at component, subsystem and system level, manufacturing industries, owners and operators of space systems, and physical location of ground system components.	protect the essential security interest of the Union and its Member States, measures to ensure a necessary level of non-dependence on third parties (third countries and entities from third countries) are needed, covering all Programme elements. This includes space and ground technologies at component, subsystem and system level, manufacturing industries, owners and operators of space systems, and physical location of ground system components.	order to protect the essential security interest of the Union and its Member States, measures to ensure a necessary level of non-dependence on third parties (third countries and entities from third countries) are needed, covering all Programme elements. This includes could include space and ground technologies at component, subsystem and system level, manufacturing industries, owners and operators of space systems, and physical location of ground system components.
Recital 59			
67	(59) To ensure the competitiveness of the European space industry in the future, the Programme should contribute to the development of advanced skills in space-related fields and support education and training activities, promoting equal opportunities, gender equality and women's empowerment, in order to realise the full potential of Union citizens in that area.	(59) To ensure the competitiveness of the European space industry in the future, the Programme should contribute to the development of advanced skills in space-related fields and support education and training activities, promoting equal opportunities, gender equality and women's empowerment, in order to realise the full potential of Union citizens in that area.	Moved to row 26b
Recital 60			
68	(60) Given its worldwide coverage, the Programme has a strong international dimension. International partners, their	(60) Given its worldwide coverage, the Programme has a strong international dimension. International partners, their governments and	Moved to row 50b

	governments and citizens will be recipients of the Programme's array of services with accrued benefits to the international cooperation of the Union and the Member States with these partners. For matters relating to the Programme, the Commission might coordinate, on behalf of the Union and in its field of competence, the activities on the international scene. In particular, the Commission, as regards the Programme, would defend the interests of the Union and the Member States in international fora, including in the area of frequencies, without prejudice to Member States' competence in that area.	citizens will be recipients of the Programme's array of services with accrued benefits to the international cooperation of the Union and the Member States with these partners. For matters relating to the Programme, the Commission might coordinate, on behalf of the Union and in its field of competence, the activities on the international scene. In particular, the Commission, as regards the Programme, would defend the interests of the Union and the Member States in international fora, including in the area of frequencies, without prejudice to Member States' competence in that area.	
Recital 61			
69	(61) Members of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), acceding countries, candidate countries and potential candidates as well as the European Neighbourhood Policy countries and other third countries may be allowed to participate in the Programme only on the basis of an agreement to be concluded in accordance with Article 218 TFEU.	(61) <u><i>The Programme should, where appropriate, be open to participation of third countries and international organisations on the basis of an agreement to be concluded in accordance with Article 218 TFEU. Priority should be given to</i></u> Members of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), acceding countries, candidate countries and potential candidates as well as the European Neighbourhood Policy countries and other third countries may be allowed	(61) Members of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), acceding countries, candidate countries and potential candidates as well as the European Neighbourhood Policy countries and other third countries may be allowed to participate in the Programme only on the basis of an agreement to be concluded in accordance with Article 218 TFEU.

		<i>to participate in the Programme only on the basis of an agreement to be concluded in accordance with Article 218 TFEU.</i>	
Recital 62			
70	<p>(62) Pursuant to Council Decision 2013/755/EU¹, persons and entities established in overseas countries or territories are eligible for funding subject to the rules and objectives of the Programme and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.</p> <p>1. Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') (OJ L 344, 19.12.2013, p. 1).</p>	<p>(62) Pursuant to Council Decision 2013/755/EU¹, persons and entities established in overseas countries or territories are eligible for funding subject to the rules and objectives of the Programme and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.</p> <p>1. Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') (OJ L 344, 19.12.2013, p. 1).</p>	<p>(62) Pursuant to Council Decision 2013/755/EU¹, persons and entities established in overseas countries or territories are eligible for funding subject to the rules and objectives of the Programme and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.</p> <p>1. Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') (OJ L 344, 19.12.2013, p. 1).</p>
Recital 68			
70a	<p>(68) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹, this Programme should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding administrative burden, in particular on Member States, and</p>	<p>(68)62a Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹, this Programme should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding administrative burden, in particular on Member States, and</p>	<p>(68)62a Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹, this Programme should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding administrative burden, in particular on Member States, and</p>

	<p>overregulation. Those requirements, where appropriate, should include measurable indicators as a basis for evaluating the effects of the Programme. The evaluation of this Programme should take into account the findings of the evaluation of the Union Space Programme pertaining to the GOVSATCOM component conducted within the framework of Regulation (EU) 2021/696.</p> <p>1. OJ L 123, 12.5.2016, p. 1.</p> <p>Moved reference text</p>	<p>overregulation. Those requirements, where appropriate, should include measurable indicators as a basis for evaluating the effects of the Programme. The evaluation of this Programme should take into account the findings of the evaluation of the Union Space Programme pertaining to the GOVSATCOM component conducted within the framework of Regulation (EU) 2021/696 <u>and should be available in good time to feed into the work on any proposal to continue the Programme in the next MFF period.</u></p> <p>1. OJ L 123, 12.5.2016, p. 1.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>overregulation. Those requirements, where appropriate, should include measurable indicators as a basis for evaluating the effects of the Programme. The evaluation of this Programme should take into account the findings of the evaluation of the Union Space Programme pertaining to the GOVSATCOM component conducted within the framework of Regulation (EU) 2021/696.</p> <p>1. OJ L 123, 12.5.2016, p. 1.</p> <p>Moved from row 76</p>
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Recital 69

70b	<p>(69) In order to ensure the continuing adequacy of the indicators to report on the progress of the Programme, as well as the Programme's monitoring and evaluation framework, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the Annex to this Regulation with regard to the indicators, as well as to supplement this Regulation with provisions on the establishment of a</p>	<p>(69)62b) In order to ensure the continuing adequacy of the indicators to report on the progress of the Programme, as well as the Programme's monitoring and evaluation framework, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the Annex to this Regulation with regard to the indicators, <u>to supplement this Regulation by specifying the measures to be</u></p>	<p>(69)62b) In order to ensure the continuing adequacy of the indicators to report on the progress of the Programme, as well as the Programme's monitoring and evaluation framework, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the Annex to this Regulation with regard to the indicators, as well as to supplement this Regulation with provisions on the establishment of a</p>
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	<p>monitoring and evaluation framework, which may consider inter alia, the end user uptake and impacts on the internal market. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. 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>Moved reference text</p>	<p><u>undertaken regarding the safety and sustainability of outer space activities</u>, as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, which may consider inter alia, the end user uptake and impacts on the internal market. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. 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>monitoring and evaluation framework, which may consider inter alia, the end user uptake and impacts on the internal market. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. 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>Moved from row 77</p>
Recital 66			
70c	<p>(66) In the interest of sound public governance and given the synergies between this Programme and the Union Space Programme, and in particular to ensure appropriate synergies with the GOVSATCOM</p>	<p>(66)<u>(62c)</u> In the interest of sound public governance and given the synergies between this Programme and the Union Space Programme, and in particular to ensure appropriate synergies with the</p>	<p>(66)<u>(62c)</u> In the interest of sound public governance and given the synergies between this Programme and the Union Space Programme, and in particular to ensure appropriate synergies with the</p>


	<p>component, the Programme committee established within the framework of Regulation (EU) 2021/696 in the GOVSATCOM configuration should also serve as the committee for the purposes of this Programme. For matters pertaining to the security of the Programme, the Programme committee should meet in a dedicated security configuration.</p> <p>Moved reference text</p>	<p>GOVSATCOM component, the Programme committee established within the framework of Regulation (EU) 2021/696 in the GOVSATCOM configuration should also serve as the committee for the purposes of this Programme. For matters pertaining to the security of the Programme, the Programme committee should meet in a dedicated security configuration.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>GOVSATCOM componentGOVSATCOM component of the Union Space Programme, the Programme committee established within the framework of Regulation (EU) 2021/696 in the GOVSATCOM configuration should also serve as the committee for the purposes of this Programme. For matters pertaining to the security of the Programme, the Programme committee should meet in a dedicated security configuration.</p> <p>Moved from row 74</p>
Recital 67			
70d	<p>(67) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to the Programme might be able to take part as observers in the work of the Programme committee established in application of Regulation (EU) No 182/2011. For the same reasons, representatives of third countries and international organisations who have concluded an international agreement with the Union, relating to the Programme, might be able to take part in the work of the Programme committee subject to security constraints and as provided</p>	<p>(67)(62d) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to the Programme might be able to take part as observers in the work of the Programme committee established in application of Regulation (EU) No 182/2011. For the same reasons, representatives of third countries and international organisations who have concluded an international agreement with the Union, relating to the Programme, might be able to take part in the work of the Programme committee subject to security constraints and as provided for in the</p>	<p>(67)(62d) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to the Programme might be able to take part as observers in the work of the Programme committee established in application of Regulation (EU) No 182/2011¹. For the same reasons, representatives of third countries and international organisations who have concluded an international agreement with the Union, relating to the Programme, might be able to take part in the work of the Programme committee subject to security constraints and as provided for in the</p>

	<p>for in the terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations should not be entitled to take part in the Programme committee voting procedures. The conditions for the participation of observers and ad hoc participants should be laid down in the rules of procedure of the Programme committee.</p> <p>Moved reference text</p>	<p>terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations should not be entitled to take part in the Programme committee voting procedures. The conditions for the participation of observers and ad hoc participants should be laid down in the rules of procedure of the Programme committee.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations should not be entitled to take part in the Programme committee voting procedures. The conditions for the participation of observers and ad hoc participants should be laid down in the rules of procedure of the Programme committee.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p> <p>Moved from row 75</p>
Recital 63			
71	<p>(63) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission relating to adoption of the location of the centres belonging to the ground governmental infrastructure, the operational requirements for governmental services, the service portfolio for governmental services, as well as the establishment of additional</p>	<p>(63) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission relating to adoption of the location of the centres belonging to the ground governmental infrastructure, the operational requirements for governmental services, the service portfolio for governmental services, as well as the establishment of additional</p>	<p>(63) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission relating to adoption of the location of the centres belonging to the ground detailed rules on the provision of governmental infrastructure, services, adoption of the operational requirements for governmental services, adoption of the service portfolio for</p>

	<p>requirements for the participation of third countries and international organisations in the Programme. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>requirements for the participation of third countries and international organisations in the Programme. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>governmental services, adoption of the contribution decisions regarding the contribution agreements and adoption of the work programme, as well as the establishment of additional requirements for the participation of third countries and international organisations in the Programme. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>
Recital 64			
72	<p>(64) In principle, the governmental services should be provided free of charge to users of the governmental services. If, after analysis, the Commission concludes that there is a shortage of capacities, it should be permitted to develop a pricing policy as part of those detailed rules on the service provision in order to avoid a distortion of the market. The Commission should be conferred with implementing powers to adopt such pricing policy. Those powers should be exercised in accordance</p>	<p>(64) In principle, The governmental services should, <u>as a general rule</u>, be provided free of charge to users of the governmental services. <u>However, capacity for those services is limited</u>. If, after analysis, the Commission concludes that there is a shortage of capacities, it should be permitted to develop a pricing policy as part of those detailed rules on the service provision in order to avoid a distortion of the market <u>match supply and demand of services, fund additional necessary capacities for</u></p>	<p>(64) In principle, the governmental services based on the governmental infrastructure should be provided free of charge to users of the governmental services users. If, after analysis, the Commission concludes that there is a shortage of capacities, it should be permitted to develop determine a pricing policy in duly justified cases where demand exceeds the access capacity as part of those detailed rules on the service provision in order to avoid a distortion of the market. In addition,</p>

	with Regulation (EU) No 182/2011.	<u>additional use of service provisions.</u> The Commission should be conferred with implementing powers to adopt such pricing policy. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.	to ensure uniform conditions for the implementation of this Regulation, implementing powers The Commission should be conferred with implementing powers to adopt on the Commission relating to determining such pricing policy. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.
Recital 65			
73	(65) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers relating to the location of the ground segment of the governmental infrastructure should be conferred on the Commission. For the selection of such locations, the Commission should be able to take into account the operational and security requirements, as well as the existing infrastructure. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.	(65) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers relating to the location of the ground segment of the governmental infrastructure should be conferred on the Commission. For the selection of such locations, the Commission should be able to take into account the operational and security requirements, as well as the existing infrastructure. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.	(65) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers relating to laying down measures required to determine the location of the ground segment of the centres belonging to the ground governmental infrastructure should be conferred on the Commission. For the selection of such locations, the Commission should be able to take into account the operational and security requirements, as well as the existing infrastructure. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.
Recital 66			
74	(66) In the interest of sound public governance and given the synergies between this Programme and the	(66) In the interest of sound public governance and given the synergies between this Programme and the	Moved to row 70c


	<p>Union Space Programme, and in particular to ensure appropriate synergies with the GOVSATCOM component, the Programme committee established within the framework of Regulation (EU) 2021/696 in the GOVSATCOM configuration should also serve as the committee for the purposes of this Programme. For matters pertaining to the security of the Programme, the Programme committee should meet in a dedicated security configuration.</p>	<p>Union Space Programme, and in particular to ensure appropriate synergies with the GOVSATCOM component, the Programme committee established within the framework of Regulation (EU) 2021/696 in the GOVSATCOM configuration should also serve as the committee for the purposes of this Programme. For matters pertaining to the security of the Programme, the Programme committee should meet in a dedicated security configuration.</p>	
Recital 67			
75	<p>(67) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to the Programme might be able to take part as observers in the work of the Programme committee established in application of Regulation (EU) No 182/2011. For the same reasons, representatives of third countries and international organisations who have concluded an international agreement with the Union, relating to the Programme, might be able to take part in the work of the Programme committee subject to security constraints and as provided</p>	<p>(67) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to the Programme might be able to take part as observers in the work of the Programme committee established in application of Regulation (EU) No 182/2011. For the same reasons, representatives of third countries and international organisations who have concluded an international agreement with the Union, relating to the Programme, might be able to take part in the work of the Programme committee subject to security constraints and as provided for in the</p>	<p>Moved to row 70d</p>

	for in the terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations should not be entitled to take part in the Programme committee voting procedures. The conditions for the participation of observers and ad hoc participants should be laid down in the rules of procedure of the Programme committee.	terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations should not be entitled to take part in the Programme committee voting procedures. The conditions for the participation of observers and ad hoc participants should be laid down in the rules of procedure of the Programme committee.	
Recital 68			
76	(68) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ¹ , this Programme should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding administrative burden, in particular on Member States, and overregulation. Those requirements, where appropriate, should include measurable indicators as a basis for evaluating the effects of the Programme. The evaluation of this Programme should take into account the findings of the evaluation of the Union Space Programme pertaining to the GOVSATCOM component conducted within the framework of Regulation (EU) 2021/696.	(68) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ¹ , this Programme should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding administrative burden, in particular on Member States, and overregulation. Those requirements, where appropriate, should include measurable indicators as a basis for evaluating the effects of the Programme. The evaluation of this Programme should take into account the findings of the evaluation of the Union Space Programme pertaining to the GOVSATCOM component conducted within the framework of Regulation (EU) 2021/696 <u>and</u>	Moved to row 70a


	1. OJ L 123, 12.5.2016, p. 1.	<u><i>should be available in good time to feed into the work on any proposal to continue the Programme in the next MFF period.</i></u>	
		1. OJ L 123, 12.5.2016, p. 1.	

Recital 69

77	<p>(69) In order to ensure the continuing adequacy of the indicators to report on the progress of the Programme, as well as the Programme's monitoring and evaluation framework, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the Annex to this Regulation with regard to the indicators, as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, which may consider inter alia, the end user uptake and impacts on the internal market. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the</p>	<p>(69) In order to ensure the continuing adequacy of the indicators to report on the progress of the Programme, as well as the Programme's monitoring and evaluation framework, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the Annex to this Regulation with regard to the indicators, <u><i>to supplement this Regulation by specifying the measures to be undertaken regarding the safety and sustainability of outer space activities,</i></u> as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, which may consider inter alia, the end user uptake and impacts on the internal market. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the</p>	Moved to row 70b
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	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.	Interinstitutional Agreement on Better Law-Making of 13 April 2016. 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.	
Recital 69a			
77a		<u><i>(69a) All essential financial and legal requirements should be established in this Regulation to ensure the predictability of the Programme's implementation. It is also necessary to set out the scope of cooperation between the Commission and the relevant industry partners, with a view to ensuring that there is a clear framework for the Programme's milestones and targets.</i></u>	
Recital 70			
78	(70) In order to ensure uniform conditions for the implementation of the Programme's security requirements, implementing powers should be conferred on the	(70) In order to ensure uniform conditions for the implementation of the Programme's security requirements, implementing powers should be conferred on the	(70) In order to ensure uniform conditions for the implementation of the Programme's security requirements, implementing powers should be conferred on the

	<p>Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. Member States should be able to exert a maximum of control over the Programme's security requirements. When adopting implementing acts in the area of security of the Programme, the Commission should be assisted by the Programme committee meeting in a dedicated security configuration. In view of the sensitivity of security matters, the chair of the Programme committee should endeavour to find solutions which command the widest possible support within the committee. The Commission should not adopt implementing acts determining the general security requirements of the Programme in cases where no opinion is delivered by the Programme committee.</p>	<p>Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. Member States should be able to exert a maximum of control over the Programme's security requirements. When adopting implementing acts in the area of security of the Programme, the Commission should be assisted by the Programme committee meeting in a dedicated security configuration. In view of the sensitivity of security matters, the chair of the Programme committee should endeavour to find solutions which command the widest possible support within the committee. The Commission should not adopt implementing acts determining the general security requirements of the Programme in cases where no opinion is delivered by the Programme committee.</p>	<p>Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. Member States should be able to exert a maximum of control over the Programme's security requirements. When adopting implementing acts in the area of security of the Programme, the Commission should be assisted by the Programme committee meeting in a dedicated security configuration. In view of the sensitivity of security matters, the chair of the Programme committee should endeavour to find solutions which command the widest possible support within the committee. The Commission should not adopt implementing acts determining the general security requirements of the Programme in cases where no opinion is delivered by the Programme committee. Where the involvement of the security configuration of the Programme committee is otherwise provided for, such involvement should take place in accordance with the rules of procedure of the Programme committee.</p>
Recital 70a			
78a		<p><u>(70a) The Programme complements the existing Union Space Programme, by integrating and</u></p>	

		<u><i>extending its objectives and actions to create a secure and space-based connectivity system for the Union. Therefore, if the Commission considers it appropriate, for the purpose of the overall consistency of the Union space policy, the evaluation should be accompanied by an appropriate proposal to integrate this Programme into the Union Space Programme, at the latest in the MFF 2028-2034.</i></u>	
Recital 71			
79	(71) Since the objective of this Regulation cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action that go beyond the financial and technical capacities of any single Member State, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. 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 that objective,	(71) Since the objective of this Regulation cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action that go beyond the financial and technical capacities of any single Member State, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. 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 that objective,	(71) Since the objective of this Regulation cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action that go beyond the financial and technical capacities of any single Member State, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. 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 that objective.,
Recital 72			
79a			

			<p>(72) The Programme should be established for a period of five years to align its duration with that of the multiannual financial framework for the years 2021 to 2027 laid down in Council Regulation (EU, Euratom) 2020/2093¹ ('MFF 2021-2027'),</p> <p>1. Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433I , 22.12.2020, p. 11)</p>
Formula			
80	HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:
Chapter I			
81	Chapter I General provisions	Chapter I General provisions	Chapter I General provisions
Article 1			
82	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter
Article 1			
83	1. This Regulation establishes the Union Secure Connectivity Programme ('the Programme'). It	1. This Regulation establishes the Union Secure Connectivity Programme ('the Programme'). It	1. This Regulation establishes the Union Secure Connectivity Programme ('the Programme'). It

	lays down the objectives of the Programme, and the rules on the activities of the Programme, infrastructure and services of the Programme, participants of the Programme, the budget for the period 2023-2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme.	lays down the objectives of the Programme, and the rules on the activities of the Programme <u>while taking account of Regulation (EC) 2021/696, the</u> infrastructure and services of the Programme, <u>the</u> participants of the Programme, the budget for the period 2023-2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme.	lays down the objectives of the Programme, and the rules on the activities of the Programme, infrastructure and services of the Programme, participants of the Programme, the budget for the period 2023-2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme. period 2023-2027. It lays down the objectives of the Programme, the budget for the period 2023-2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme.
Article 2			
84	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions
Article 2, first paragraph, introductory part			
85	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:
Article 2, first paragraph, point (1)			
86	(1) ‘Critical infrastructure’ means an asset, system or part thereof located in Member States which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption or destruction of which would have a significant impact in a Member State as a result of the failure to maintain	(1) ‘Critical infrastructure’ means an asset, system or part thereof located in Member States which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption or destruction of <u>a facility, an equipment, a network, a system or part thereof,</u> which would have a	<i>deleted</i>

	those functions;	significant impact in a Member State as a result of the failure to maintain those functions <u>is necessary for the provision of an essential service;</u>	
Article 2, first paragraph, point (2)			
87	(2) ‘European Quantum Communication Infrastructure (EuroQCI)’ means an interconnected space and ground infrastructure belonging to the infrastructure of the Programme using quantum-based technology to ensure the distribution of cryptographic keys;	(2) ‘European Quantum Communication Infrastructure (EuroQCI)’ means an interconnected space and ground infrastructure belonging to the infrastructure of the Programme using quantum-based technology to ensure the distribution of cryptographic keys;	(2) ‘European Quantum Communication Infrastructure (or ‘EuroQCI)’ means an interconnected space, ground and terrestrial and ground infrastructure belonging integrated to the infrastructure of the Programme using quantum-based technology to ensure the distribution of cryptographic keys;
Article 2, first paragraph, point (3)			
88	(3) ‘GOVSATCOM Hub’ shall have the meaning defined in Article 2(23) of Regulation (EU) 2021/696;	(3) ‘GOVSATCOM Hub’ shall have the meaning <u>means the GOVSATCOM hub as</u> defined in Article 2, <u>point</u> (23) of Regulation (EU) 2021/696;	(3) ‘GOVSATCOM Hub’ shall have the meaning means GOVSATCOM Hub as defined in Article 2(23) of Regulation (EU) 2021/696;
Article 2, first paragraph, point (4)			
89	(4) ‘GOVSATCOM user’ shall have the meaning defined in Article 2(22) of Regulation (EU) 2021/696;	(4) ‘GOVSATCOM user’ shall have the meaning <u>means the GOVSATCOM user as</u> defined in Article 2, <u>point (22), (22)</u> of Regulation (EU) 2021/696;	<i>deleted</i>

Article 2, first paragraph, point (5)			
90	(5) 'Infrastructure' means an asset, system or part thereof, which is necessary for the delivery of the services provided by the Programme;	(5) 'infrastructure' means an asset, <u>a</u> system or part thereof, which is necessary for the delivery of the services provided by the Programme;	<i>deleted</i>
Article 2, first paragraph, point (6)			
91	(6) 'New Space industry' means private companies, small and medium-sized enterprises and start-ups that develop novel space technologies and applications;	(6) ' New space industry <u>ecosystem</u> ' means private companies, small and medium-sized enterprises and <u>a network of interacting players in the space sector operating in value chains, from the smallest</u> start-ups that develop novel space technologies and applications <u>to the largest companies, encompassing the upstream, midstream and downstream segments of the space market</u> ;	<i>deleted</i>
Article 2, first paragraph, point (7)			
92	(7) 'Payload' means equipment carried by a spacecraft for the performance of a particular mission in space;	(7) 'payload' means equipment carried by a spacecraft for the performance of a particular mission in space;	(7) 'payload' means equipment carried by a spacecraft for the performance of a particular mission in space;
Article 2, first paragraph, point (8)			
93	(8) 'Secure connectivity system' means the system developed in accordance with this Regulation	(8) 'secure connectivity system' means the system developed in accordance with this Regulation	<i>deleted</i>

	comprising the infrastructure referred to in Article 5 and providing the services referred to in Article 7;	comprising the infrastructure referred to in Article 5 and providing the services referred to in Article 7;	
<i>Article 2, first paragraph, point (8a)</i>			
93a		<u>(8a) 'EU classified information' means EU classified information as defined in Article 2, point (25), of Regulation (EU) 2021/696;</u>	
<i>Article 2, first paragraph, point (8b)</i>			
93b		<u>(8b) 'sensitive non-classified information' means sensitive non-classified information as defined in Article 2, point (26), of Regulation (EU) 2021/696;</u>	
<i>Article 2, first paragraph, point (9)</i>			
94	(9) 'The Agency' means the European Union Agency for the Space Programme established by Regulation (EU) 2021/696.	(9) ' The Agency' means the European Union Agency for the Space Programme established by Regulation (EU) 2021/696.	(9) 'the Agency' means the European Union Agency for the Space Programme established by Regulation (EU) 2021/696;
<i>Article 2, first paragraph, point (10)</i>			
94a			(10) 'spacecraft' means spacecraft as defined in Article 2(1) of Regulation (EU) 2021/696;
<i>Article 2, first paragraph, point (10a)</i>			

94b			(10a) ‘space debris’ means space debris as defined in Article 2(4) of Regulation (EU) 2021/696;
Article 2, first paragraph, point (11)			
94c			(11) ‘blending operations’ means blending operations as defined in Article 2(27) of Regulation (EU) 2021/696;
Article 2, first paragraph, point (12)			
94d			(12) ‘EU classified information’ or ‘EUCI’ as defined in Article 2(25) of Regulation (EU) 2021/696;
Article 2, first paragraph, point (13)			
94e			(13) ‘sensitive non-classified information’ as defined in Article 2(26) of Regulation (EU) 2021/696.
Article 3			
95	Article 3 Programme objectives	Article 3 Programme objectives	Article 3 Programme objectives
Article 3(1), introductory part			
96	1. The general objective of the Programme is to establish a secure	1. The general objective of the Programme is to establish a secure.	1. The general objectiveobjectives of the Programme is to establish a

	and autonomous space-based connectivity system for the provision of guaranteed and resilient satellite communication services, in particular to:	autonomous and multi-services and autonomous space-based connectivity system for the provision of guaranteed and resilient satellite communication services <u>system under civil control, integrating and complementing the capacities of the GOVSATCOM component of the Union Space Programme</u> , in particular to:	secure and autonomous space-based connectivity system for the provision of guaranteed and resilient satellite communication services, in particular to:
Article 3(1), point (a)			
97	(a) ensure the long-term availability of worldwide uninterrupted access to secure and cost-effective satellite communication services to governmental users in accordance with paragraphs 1 to 3 of Article 7, which supports protection of critical infrastructures, surveillance, external actions, crisis management and applications that are critical for the economy, environment, security and defence, thereby increasing the resilience of Member States;	(a) ensure the <u>provision and</u> long-term availability of <u>within the Union's territory and</u> worldwide <u>of</u> uninterrupted access to secure, <u>autonomous, reliable, resilient</u> and cost-effective satellite communication <u>governmental satellite</u> services to governmental users in accordance with paragraphs 1 to 3 of Article 7, which supports <u>the</u> protection of critical infrastructures, surveillance <u>infrastructure, situational awareness</u> , external actions, crisis management and applications that are critical for the economy, <u>the</u> environment, <u>the</u> security and defence, thereby increasing the resilience <u>and the technologic sovereignty of the Union and of</u> Member States, <u>while avoiding excessive reliance on non-EU based solutions, in particular for</u>	(a) to ensure the provision and long-term availability of worldwide uninterrupted access to secure, autonomous, reliable and cost-effective satellite governmental communication services to governmental users in accordance with paragraphs 1 to 3 of Article 7, which supports by establishing a secure connectivity system under civil control and by supporting the protection of critical infrastructures within the meaning of Council Directive 2008/114/EC , surveillance, external actions, crisis management and applications that are critical for the economy, environment, security and defence, thereby increasing the resilience of Member States;

		<u>critical functions and ensuring access to space, in particular to orbital slots and the right to use relevant frequencies;</u>	
Article 3(1), point (b)			
98	(b) allow for the provision of commercial services by the private sector in accordance with Article 7(4).	(b) allow for <u>enable</u> the provision of commercial services <u>or services offered to governmental users based on commercial infrastructure</u> by the private sector in accordance with Article 7(4), <u>including services to further develop Union and worldwide high-speed broadband and seamless connectivity</u> .	(b) allow for <u>to enable</u> the provision of commercial services or services offered to governmental users based on commercial infrastructure at market conditions by the private sector in accordance with Article 7(4) line with applicable Union's competition law in order to facilitate, among others, further development of worldwide high-speed broadband, and seamless connectivity as well as removing communication dead zones and increasing cohesion across Member States' territories. Noted as point (c) in Coreper Mandate 10854/22 by mistake
Article 3(2), introductory part			
99	2. The Programme has the following specific objectives:	2. The Programme has the following specific objectives:	2. The Programme has the following specific objectives specific objectives of the Programme are to:
Article 3(2), point (-a)			
99a			

			(-a) complement and integrate the existing and future capacities of the GOVSATCOM component of the Union Space Programme in the secure connectivity system;
Article 3(2), point (a)			
100	<p>(a) improve the resilience of the Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696¹;</p> <p>1. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>	<p>(a) improve the resilience of the Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the <u>quality, resilience and autonomy of the Union and</u> Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696¹ <u>satellite services</u> ¹ ;</p> <p>1. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>	<p>(a) improve the resilience of the Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the and security of the Union and Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696¹ communication services;</p> <p>1. Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>
Article 3(2), point (aa)			
100a			(aa) increase robustness of the

			Union and Member States communication services, by application of proactive operational cybersecurity protective measures against cyber threats and other measures against electromagnetic threats;
Article 3(2), point (ab)			
100b			(ab) develop and integrate EuroQCI;
Article 3(2), point (ac)			
100c			(ac) ensure right of use of orbital slots and relevant frequencies;
Article 3(2), point (b)			
101	(b) contribute to cyber resilience by proactive and reactive defence against cyber and electromagnetic threats and operational cybersecurity, and integrate the space and related ground segment of the European Quantum Communication Infrastructure to enable secure transmission of cryptographic keys;	(b) contribute to <u>increase the</u> cyber resilience by proactive and reactive defence against cyber and electromagnetic threats and operational cybersecurity, and integrate the space and related ground segment of the European Quantum Communication Infrastructure to enable secure transmission of cryptographic keys <u>of the Union by developing redundancy, passive and reactive cyber protection and operational cybersecurity;</u>	<i>deleted</i>

Article 3(2), point (ba)			
101a		<u>(ba) develop and integrate the space and related ground segment of the EuroOCI to enable secure transmission of cryptographic keys;</u>	
Article 3(2), point (c)			
102	(c) improve and expand the capabilities and services of other components of the Union Space Programme;	(c) improve and expand the <u>enable, where possible, the development of communication and other services, in particular by improving, creating synergies between and expanding</u> capabilities and services of other <u>components of the Union Space Programme, as well as services that are not</u> components of the Union Space Programme, <u>by hosting additional satellite subsystems, including payloads;</u>	(c) enable, as appropriate, the development of additional non-communication services or interfaces to improve and expand the capabilities and services of other components of the Union Space Programme by hosting additional satellite subsystems, including payloads;
Article 3(2), point (d)			
103	(d) incentivise the deployment of innovative and disruptive technologies, in particular by leveraging the New Space industry; and	(d) incentivise <u>innovation, efficiency, as well as the development and use of disruptive technologies and</u> the deployment of innovative and disruptive technologies <u>business models in the whole European space ecosystem</u> , in particular by leveraging the New <u>supporting new entrants, start-ups and SMEs of the up-, mid- and down-stream sector across the</u>	(d) incentivise the deployment development of innovative and disruptive technologies, in particular by leveraging and new business models provided by the New Space industry; and ecosystem;

		<u>Union especially through strengthening competition in the market of the Union</u> space industry sector; and	
Article 3(2), point (e)			
104	(e) allow further development of high-speed broadband and seamless connectivity throughout the Union, removing communication dead zones and increasing cohesion across Member State territories, and allow connectivity over geographical areas of strategic interest outside of the Union.	(e) allow further <u>further ensure the</u> development of high-speed broadband and seamless connectivity throughout the Union, removing and <u>thereby remove</u> communication dead zones <u>in support of the inclusive, cohesive and sustainable development of the Union while bridging the digital divide, and enabling affordable internet access, contributing to the provision of the Universal Service in the meaning of Directive (EU) 2018/1972 and increasing cohesion across the Union and</u> and increasing cohesion across Member State territories, and allow connectivity over geographical areas of strategic interest outside for <u>the Union, for instance neighbouring regions</u> of the Union, <u>such as the Mediterranean, Baltic and Black Sea regions, and other strategic areas such as the Arctic and Africa;</u>	(e) allow further development of high-speed broadband and seamless connectivity throughout the Union, removing communication dead zones and increasing cohesion across Member State territories, and allow improve secure connectivity over geographical areas of strategic interest, such as Africa and the Arctic; outside of the Union.
Article 3(2), point (f)			
104a		<u>(ea) enhance the safety and</u>	(f) enhance the safety and

		<u>sustainability of space activities by implementing appropriate measures to ensure and promote responsible behaviour in space when implementing the Programme; and</u>	sustainability of outer space activities, by implementing appropriate measures to display and promote responsible behaviour in space when implementing the Programme, including through seeking to prevent the proliferation of space debris.
Article 3(2), point (eb)			
104b		<u>(eb) improve the Union's strategical and technological autonomy in terms of space technologies, assets, operations and services.</u>	
Article 3(3)			
104c			3. The prioritisation and development of additional non-communication services or interfaces referred to in paragraph 2(c) and their respective funding shall follow the scope and objectives of Regulation (EU) 2021/696 and shall be decided under the relevant configuration of the Programme committee as set out in Regulation (EU) 2021/696.
Article 4			
105	Article 4 Implementation activities of the	Article 4 Implementation activities of the	Article 4 Implementation Programme

	Programme	Programme	activities of the Programme
Article 4(1), introductory part			
106	1. The provision of the governmental services referred to in Article 7(1) shall be ensured through the implementation of the following activities:	1. The provision of the governmental services referred to in Article 7(1) <u>7(1a)</u> shall be ensured through the implementation of <u>based on, integrated into and complemented by the GOVSATCOM component of the Union Space Programme. They shall be ensured through</u> the following activities:	1. The provision of the governmental services referred to in Article 7(1) <u>7(1-a)</u> shall be ensured through the implementation of following phased activities, which complement and integrate the GOVSATCOM component of the following activities Union Space Programme:
Article 4(1), point (-a)			
106a			(-a) definition of the space and ground infrastructure;
Article 4(1), point (a)			
107	(a) development and validation activities, comprising the construction and launch of the initial space and ground infrastructure required to provide governmental services;	(a) development and validation activities, comprising the construction and launch <u>by 2024, the design, development, validation and related deployment activities</u> of the initial space and ground infrastructure required to provide <u>first</u> governmental services <u>6 months after the deployment</u> ;	(a) development and, validation activities, comprising the construction and launch and related deployment activities of the initial space and ground infrastructure required to provide first governmental services by 2024 ;
Article 4(1), point (b)			
108			

	(b) development and integration of the space and related ground segment of the European Quantum Communication Infrastructure into the space and ground infrastructure of the secure connectivity system	(b) development and <u>gradual</u> integration of the space and related ground segment of the European Quantum Communication Infrastructure into the space and ground infrastructure of the secure connectivity system;	<i>deleted</i>
Article 4(1), point (c)			
109	(c) deployment activities to complete the space and ground infrastructure required to provide governmental services;	(c) deployment activities to complete the space and ground infrastructure required to provide governmental services, <u>leading to full operational capability by 2027</u> ;	(c) gradual deployment activities to complete the space and ground infrastructure required to provide advanced governmental services to meet as soon as possible the needs of the governmental users, leading to full operational capability aimed by 2027 ;
Article 4(1), point (ca)			
109a			(ca) development and deployment of EuroQCI for integration into the secure connectivity system;
Article 4(1), point (d), introductory part			
110	(d) exploitation activities for the provision of governmental services, comprising:	(d) exploitation activities for the provision of governmental services, comprising:	(d) exploitation activities for the provision of governmental services, comprising: the operation, maintenance, continuous improvement and protection of the space and ground infrastructure, including replenishment and obsolescence management;

Article 4(1), point (d)(i)			
111	(i) the operation, maintenance, continuous improvement and protection of the space and ground infrastructure, including replenishment and obsolescence management.	(i) the operation, maintenance, continuous improvement and protection of the space and ground infrastructure, including replenishment and obsolescence management.	<div>deleted</div> <div>Integrated in point (d) above</div>
Article 4(1), point (e)			
112	(e) development of future generations of the space and ground infrastructure and the evolution of the governmental services.	(e) development of future generations of the space and ground infrastructure and the evolution of the governmental services.	(e) development of future generations of the space and ground infrastructure and the evolution of the governmental services.
Article 4(1a)			
112a		<u>1a. The provision of commercial services shall be ensured and financed by the contractor referred to in Article 15(2).</u>	
Article 4(2)			
113	2. The exploitation activities referred to in paragraph 1, point (d), shall begin progressively with the provision of a preliminary set of services by 2024. Those early services shall be improved through the gradual deployment of the space and ground infrastructure leading to	2. The exploitation activities referred to in paragraph 1, point (d), shall begin progressively with the provision of a preliminary set of services by 2024. Those early services shall be improved through the gradual deployment of the space and ground infrastructure leading to	deleted

	full operational capability aimed by 2027.	full operational capability aimed by 2027.	
Article 4(3)			
114	3. Actions referred to in Article 6 shall be provided throughout the whole duration of the Programme.	3. Actions referred to in Article 6 shall be provided throughout the whole duration of the Programme.	deleted
Article 4(4)			
114a			4. The provision of the commercial services shall be ensured and entirely financed by the contractors referred to in Article 15.
Article 5			
115	Article 5 Infrastructure of the secure connectivity system	Article 5 Infrastructure of the secure connectivity system	Article 5 Infrastructure of the secure connectivity system
Article 5(1)			
116	1. The infrastructure of the secure connectivity system shall consist of governmental and commercial infrastructure as laid down in paragraphs 2 and 3 respectively.	1. The infrastructure <u>shall be established by developing, building and operating a multi-orbital infrastructure, scalable to adjust to the evolution of governmental demand for satellite services and offering low latency, while integrating and complementing the existing and future capacities used</u>	1. The secure connectivity system shall be established by defining, developing, building and operating a multi-orbital connectivity infrastructure, scalable to adjust to the evolution of governmental demand for satellite communications and offering low latency. It shall be modular to fulfil

		<p><u>in the frame of the GOVSATCOM component of the Union Space Programme. It of the secure connectivity system</u> shall consist of governmental and commercial infrastructure as laid down in paragraphs 2 and 3⁴ respectively.</p>	<p>the objectives referred to in Article 3 and the service portfolio referred to in Article 7(1-a), while complementing and integrating the existing and future capacities used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696¹. It of the secure connectivity system shall consist of governmental and commercial a governmental infrastructure as laid down in paragraphs 2 and 3 respectively paragraph 2, and a commercial infrastructure as laid down in paragraph 4.</p> <p>¹ Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69).</p>
Article 5(2), first subparagraph, introductory part			
117	<p>2. The governmental infrastructure of the secure connectivity system shall include all the related ground and space assets which are required for the provision of the governmental services, as set out in Article 7(1), including the following assets:</p>	<p>2. The governmental infrastructure of the secure connectivity system shall <u>be built upon the GOVSATCOM Hub ground segment infrastructure as set out in Regulation (EU) 2021/696 that is to be gradually scaled-up and</u> include all the related ground and space</p>	<p>2. The governmental infrastructure of the secure connectivity system shall include all the related ground and space assets which are required for the provision of the governmental services, as set out in Article 7(1)^{7(1-a)}, points (a) and (c), including the following assets:</p>

		assets which are required for the provision of the governmental services, as set out in Article 7(1), including the following assets:	
Article 5(2), first subparagraph, point (a)			
118	(a) satellites or satellite subcomponents;	(a) either satellites or satellite subcomponents <u>subsystems</u> , <u>including payloads</u> ;	(a) either satellites or satellite subcomponents <u>subsystems</u> , including payloads ;
Article 5(2), first subparagraph, point (b)			
119	(b) space and ground subcomponents ensuring the distribution of cryptographic keys;	(b) space and ground subcomponents ensuring the distribution of cryptographic keys;	(b) space and ground subcomponents ensuring the distribution of cryptographic keys EuroQCI ;
Article 5(2), first subparagraph, point (c)			
120	(c) infrastructure for monitoring the security of the Programme infrastructure and services;	(c) infrastructure for monitoring the security of the Programme <u>governmental</u> infrastructure and services;	(c) infrastructure for monitoring the security of the Programme governmental infrastructure and governmental services;
Article 5(2), first subparagraph, point (d)			
121	(d) infrastructure for the provision of the services to the governmental users;	(d) infrastructure for the provision of the services to the governmental users;	(d) ground infrastructure for the provision of the services to the governmental users; including the GOVSATCOM ground segment infrastructure, in particular the GOVSATCOM Hubs, as set out in

			Article 67 of Regulation (EU) 2021/696.
Article 5(2), first subparagraph, point (e)			
122	(e) the GOVSATCOM ground segment infrastructure as set out in Article 67 of Regulation (EU) 2021/696, including the GOVSATCOM Hubs.	(e) the GOVSATCOM ground segment infrastructure as set out in Article 67 of Regulation (EU) 2021/696, including the GOVSATCOM Hubs.	deleted
Article 5(2), second subparagraph			
123	For the purpose of this Regulation, the right of use of the frequencies necessary for the transmission of the signals generated by the ground and space assets of the governmental infrastructure shall be part of the governmental infrastructure.	For the purpose of this Regulation, the right of use of the frequencies necessary for the transmission of the signals generated by the ground and space assets of the governmental infrastructure shall be part of the governmental infrastructure.	deleted
Article 5(2a)			
124	The governmental infrastructure shall support additional payloads that may be used as part of the space-based infrastructure of the components of the Union Space Programme listed in Article 3 of Regulation (EU) 2021/696 under the terms and conditions set out in that Regulation.	The governmental infrastructure shall support <u>host, as appropriate, additional subsystems, in particular</u> payloads, that may be used as part of the space-based infrastructure of the components of the Union Space Programme listed in Article 3 of Regulation (EU) 2021/696 under the terms and conditions set out in that Regulation <u>as well as subsystems used for services that are not components of the Union Space</u>	2a. The governmental infrastructure shall support also host, as appropriate, additional satellite subsystems, in particular payloads, that may be used as part of the space-based infrastructure of the components of the Union Space Programme listed in Article 3 of Regulation (EU) 2021/696 under the terms and conditions set out in that Regulation.

		<u>Programme.</u>	
Article 5(3), first subparagraph			
125	<p>3. The Commission shall, by means of implementing acts, lay down, where necessary, measures required to determine the location of the centres belonging to the ground governmental infrastructure, except the GOVSATCOM Hubs, in accordance with security requirements, following an open and transparent process. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2) of this Regulation. The location of the GOVSATCOM Hubs shall be determined in accordance with Article 67(2) of regulation (EU) 2021/696.</p>	<p>3. The Commission shall, by means of implementing acts, lay down, where necessary, measures required to determine the location of the centres belonging to the ground governmental infrastructure, except the GOVSATCOM Hubs, in accordance with security requirements, following an open and transparent process. <u>During that process, the Commission shall take into account all possible synergies with existing centres related to other components of the Union Space Programme and endeavour to achieve geographical balance.</u> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2) of this Regulation. The location of the GOVSATCOM Hubs shall be determined in accordance with Article 67(2) of regulation (EU) 2021/696.</p>	<p>3. The Commission shall, by means of implementing acts, lay down, where necessary, measures required to determine the location of the centres belonging to the ground governmental infrastructure, except the GOVSATCOM Hubs, in accordance with security requirements, following an open and transparent process. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2) of this Regulation. The location of the GOVSATCOM Hubs shall be determined in accordance with Article 67(2) of Regulation (EU) 2021/696.</p>
Article 5(3), second subparagraph			
126	<p>For the protection of the security interests of the Union and its Member States the centres referred to in the first subparagraph shall be,</p>	<p>For the protection of the security interests of the Union and its Member States the centres referred to in the first subparagraph shall be,</p>	<p>For the protection of the security interests of the Union and its Member States the centres referred to in the first subparagraph shall be,</p>

	where possible, located in the territory of the Member States and governed by a hosting agreement taking the form of an administrative agreement between the Union and the Member State concerned.	where possible, located in the territory of the Member States and governed by a hosting agreement taking the form of an administrative agreement between the Union and the Member State concerned.	where possible, located in the territory of the Member States and governed by a hosting agreement taking the form of an administrative agreement between the Union and the Member State concerned.
Article 5(3), third subparagraph			
127	Where it is not possible to locate the centre in the territory of the Member States, the Commission may determine the location of such centre in the territory of a third country, subject to a hosting agreement between the Union and the third country concerned concluded in accordance with Article 218 TFEU.	Where it is not possible to locate the centre in the territory of the Member States, the Commission may determine the location of such centre in the territory of a <u>members of</u> <u>EFTA which are members of the EEA or in the territory of another</u> third country, subject to a hosting agreement between the Union and the third country concerned concluded in accordance with Article 218 TFEU.	Where it is not possible to locate the centre in the territory of the Member States, the Commission may determine the location of such centre in the territory of a third country, subject to a hosting agreement between the Union and the third country concerned concluded in accordance with Article 218 TFEU.
Article 5(4)			
128	4. The commercial infrastructure referred to in paragraph 1 shall include all space and ground assets other than those being part of the governmental infrastructure. The commercial infrastructure shall be entirely financed by the contractor referred to in Article 15(2).	4. The commercial infrastructure referred to in paragraph 1 shall include all space and ground assets other than those being part of the governmental infrastructure. The commercial infrastructure <u>and any related risks</u> shall be entirely financed by the contractor referred to in Article 15(2).	4. The commercial infrastructure referred to in paragraph 1 shall include all space and ground assets other than those being part of the governmental infrastructure without impairing its performance or security . The commercial infrastructure shall be entirely financed by the contractor contractors referred to in Article 15 in order to fulfil the

			objective referred to in Article 15(2)3(1), point (c).
Article 5(4a)			
128a		<u>4a. Where the governmental and commercial services rely on common assets, the contracts referred to in Article 15 shall determine which of those assets are to be part of the governmental infrastructure.</u>	
Article 5(5)			
129	5. In order to protect the security interests of the Union, the space assets of the secure connectivity system shall be launched by a launch service provider that complies with the conditions set out in Article 19 and, where possible, from the territory of the Member States.	5. In order to protect the security interests of the Union, the space assets of the secure connectivity system shall be launched by a launch service provider that complies <u>providers that comply</u> with the conditions set out in Article 19 and, where possible, from the Union's territory. <u>By way of derogation from the first subparagraph, the Commission may allow a provider to launch a space asset from the territory of the Member States a third country in exceptional, duly substantiated circumstances.</u>	5. In order to protect the security interests of the Union, the space assets of the secure connectivity system governmental infrastructure shall be launched by a launch existing and future service provider that complies providers, including those using small launchers and microlaunchers, that comply with the conditions set out in Article 19 and, where possible, from the territory of the Member States.
Article 16			
129a			

	Article 16 Ownership and use of assets Moved reference text	Article 16 Ownership and use of assets Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	Article 465a Ownership and use of assets Moved from row 204
Article 16(1), first subparagraph			
129b	<p>1. The Union shall be the owner of all tangible and intangible assets laid down in Article 5, which form part of the governmental infrastructure. To that effect, the Commission shall ensure that contracts, agreements and other arrangements concerning activities that may result in the creation or development of such assets contain provisions ensuring the Union's ownership of those assets.</p> <p>Moved reference text</p>	<p>1. The Union shall be the owner of all tangible and intangible assets laid down in Article 5, which form part of the governmental infrastructure. To that effect, the Commission shall ensure that contracts, agreements and other arrangements concerning activities that may result in the creation or development of such assets contain provisions ensuring the Union's ownership of those assets.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>1. The Union shall be the owner of all tangible and intangible assets laid down in Article 5, which form part of the governmental infrastructure, which shall be owned by the Member States. To that effect, the Commission shall ensure that contracts, agreements and other arrangements concerning activities that may result in the creation or development of such assets contain provisions ensuring the Union's ownership of those assets.</p> <p>Moved from row 205</p>
Article 5a(1a), second subparagraph, introductory part			
129c	In particular, the Commission shall ensure that the Union has the following rights:	In particular, the Commission shall ensure that the Union has the following rights:	1a. In particular, The Commission shall ensure that the Union has the following rights:

	Moved reference text	Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	Moved from row 206
Article 5a(1a), second subparagraph, point (a)			
129d	<p>(a) the right of use of the frequencies required for the transmission of the signals generated by the Programme, in accordance with the applicable laws, regulations and relevant licensing agreements and the filings provided by the Member States remaining their property;</p> <p>Moved reference text</p>	<p>(a) the right of use of the frequencies required for the transmission of the signals generated by the Programme, in accordance with the applicable laws, regulations and relevant licensing agreements and the filings provided by the Member States remaining their property;</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(a) the right of use of the frequencies required for the transmission of the signals generated by the Programme governmental infrastructure of the system, in accordance with the applicable laws, regulations and relevant licensing agreements, enabled by the relevant and the filings provided by the Member States, that remain under remaining their property responsibility;</p> <p>Moved from row 207</p>
Article 5a(1a), second subparagraph, point (b)			
129e	<p>(b) the right to prioritise the provision of the governmental services over the commercial services, according to terms and conditions to be established in the contracts referred to in Article 15 and considering the users of the governmental services referred to in Article 10(1).</p> <p>Moved reference text</p>	<p>(b) the right to prioritise the provision of the governmental services over the commercial services, according to terms and conditions to be established in the contracts referred to in Article 15 and considering the users of the governmental services referred to in Article 10(1).</p> <p>Text of EP mandate copied here for comparison purposes only, no structural</p>	<p>(b) the right to prioritise the provision of the governmental services over the commercial services, according to terms and conditions to be established in the contracts referred to in Article 15 and considering the needs of users of the governmental services referred to in Article 10(1).</p> <p>Moved from row 208</p>

		change of EP mandate.	
Article 5a(2), third subparagraph, introductory part			
129f	<p>2. By way of derogation from paragraph 1, the Commission shall seek to conclude contracts, agreements or other arrangements with third parties with regard to:</p> <p>Moved reference text</p>	<p>2. By way of derogation from paragraph 1, the Commission shall seek to conclude contracts, agreements or other arrangements with third parties with regard to:</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>2. By way of derogation from paragraph 1, The Commission shall seek to conclude contracts, agreements or other arrangements with third parties, including the contractors referred to in Article 15, with regard to:</p> <p>Moved from row 209</p>
Article 5a(2), third subparagraph, point (a)			
129g	<p>(a) pre-existing ownership rights in respect of tangible and intangible assets forming part of the Programme infrastructure;</p> <p>Moved reference text</p>	<p>(a) pre-existing ownership rights in respect of tangible and intangible assets forming part of the Programme infrastructure;</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(a) pre-existing ownership rights in respect of tangible and intangible assets forming part of the Programmegovernmental infrastructure;</p> <p>Moved from row 210</p>
Article 5a(2), third subparagraph, point (b)			
129h	<p>(b) the acquisition of the ownership or license rights in respect of other tangible and intangible assets necessary for the implementation of the Programme.</p> <p>Moved reference text</p>	<p>(b) the acquisition of the ownership or license rights in respect of other tangible and intangible assets necessary for the implementation of the Programme, <u>in relation to the provision of governmental services</u>.</p> <p>Text of EP mandate copied here for</p>	<p>(b) the acquisition of the ownership or license rights in respect of other tangible and intangible assets necessary for the implementation of the Programmegovernmental infrastructure.</p> <p>Moved from row 211</p>

		comparison purposes only, no structural change of EP mandate.	
Article 5a(3), fourth subparagraph, introductory part			
129i	<p>3. Where the assets referred to in paragraphs 1 and 2 consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking into account:</p> <p>Moved reference text</p>	<p>3. Where the assets referred to in paragraphs 1 and 2 consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking into account:</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>3. Where the assets referred to in paragraphs 1 and 2 consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking into account:</p> <p>Moved from row 212</p>
Article 5a(3), fourth subparagraph, point (a)			
129j	<p>(a) the need to protect and give value to the assets;</p> <p>Moved reference text</p>	<p>(a) the need to protect and give value to the assets;</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(a) the need to protect and give value to the assets;</p> <p>Moved from row 213</p>
Article 5a(3), fourth subparagraph, point (b)			
129k	<p>(b) the legitimate interests of all stakeholders concerned;</p> <p>Moved reference text</p>	<p>(b) the legitimate interests of all stakeholders concerned;</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>(b) the legitimate interests of all stakeholders concerned;</p> <p>Moved from row 214</p>
Article 5a(3), fourth subparagraph, point (c)			

129l	(c) the need to ensure competitive and well-functioning markets and to develop new technologies; Moved reference text	(c) the need to ensure competitive and well-functioning markets and to develop new technologies; Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	(c) the need to ensure competitive and well-functioning markets and to develop new technologies; Moved from row 215
Article 5a(3), fourth subparagraph, point (d)			
129m	(d) the need for the continuity of the services provided by the Programme. Moved reference text	(d) the need for the continuity of the services provided by the Programme. Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	(d) the need for the continuity of the services provided by the Programme. Moved from row 216
Article 5a(4), fifth subparagraph			
129n	4. The Commission shall, in particular, ensure that the relevant contracts, agreements and other arrangements include the possibility of transferring those intellectual property rights to third parties or of granting third-party licences for those rights, including to the creator of the intellectual property, and that such third parties can freely enjoy those rights where necessary for carrying out their tasks under this Regulation. Moved reference text	4. The Commission shall, in particular, ensure that the relevant contracts, agreements and other arrangements include the possibility of transferring those intellectual property rights to third parties or of granting third-party licences for those rights, including to the creator of the intellectual property, and that such third parties can freely enjoy those rights where necessary for carrying out their tasks under this Regulation. Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	4. The Commission shall, in particular whenever appropriate , ensure that the relevant contracts, agreements and other arrangements include the possibility of transferring those intellectual property rights to third parties or of granting third-party licences for those rights, including to the creator of the intellectual property, and that such third parties can freely enjoy those rights where necessary for carrying out their tasks under this Regulation. Moved from row 217

Article 6			
130	Article 6 Actions in support of an innovative and competitive Union space sector	Article 6 Actions in support of an innovative and competitive Union space sector <u>ecosystem</u>	Article 6 Actions in support of an innovative and competitive Union space sector
Article 6(1)			
131	1. The Programme shall support an innovative and competitive Union space sector and stimulate the New Space industry in the Union, and in particular the initiatives and activities listed in Article 6 of Regulation (EU) 2021/696, including, where appropriate, support of commercial services.	1. The Programme shall support an innovative and competitive Union space sector and stimulate the New Space industry in the Union, and in particular the initiatives and activities listed in Article 6 of Regulation (EU) 2021/696, including, where appropriate, support of commercial services. <u>In accordance with the objectives referred to in Article 3(2), point (d), the Programme shall support an innovative and competitive Union space ecosystem, and in particular the initiatives and activities listed in Article 6 of Regulation (EU) 2021/696, including, where appropriate, support of activities linked to commercial services.</u>	1. The Programme shall support an innovative and competitive Union space sector and stimulate the New Space industry in the Union, and in particular the initiatives and activities listed in Article 6 of Regulation (EU) 2021/696, including, where appropriate, support of commercial services.
Article 6(2), introductory part			
132	2. The Commission shall contribute to the activities referred to in paragraph 1, by taking the following measures:	2. The Commission shall contribute to the activities referred to in paragraph 1, <u>stimulate innovation in the Union's space ecosystem throughout the duration of the Programme</u> by taking the following measures:	2. The Commission shall contribute to the activities referred to in paragraph 1, <u>stimulate the New Space ecosystem in the Union, throughout the whole duration of the Programme</u> , by taking the following measures:

Article 6(2), point (a)			
133	(a) establish criteria for the award of the contracts referred to in Article 15 ensuring the participation of start-ups and small and medium-sized enterprises (SMEs) from across the Union and along the whole relevant value chain;	(a) establish criteria for the award of the contracts referred to in Article 15 ensuring the participation of <u>new entrants</u> , start-ups and small and medium-sized enterprises (SMEs) from across the Union and along the whole relevant value chain;	(a) establish criteria for the award of the contracts referred to in Article 15 ensuring the widest participation of start-ups and small and medium-sized enterprises (SMEs) from across the Union and along the whole relevant value chain;
Article 6(2), point (b)			
134	(b) require that the contractor referred to in Article 15(2) provides a plan on the integration of start-ups and SMEs from across the Union in the activities under the contracts referred to in Article 15;	(b) require that the contractor referred to in Article 15(2) provides a plan on <u>to maximise</u> the integration of <u>new entrants</u> , start-ups and SMEs from across the Union in the activities under the contracts referred to in Article 15, <u>including through the establishment of specific quotas</u> ;	(b) require that the contractor contractors referred to in Article 15(2) provides 15 provide a plan on <u>to maximise</u> the integration of start-ups and SMEs from across the Union in the activities under the contracts referred to in Article 15;
Article 6(2), point (c)			
135	(c) require through the contracts referred to in Article 15 that start-ups and SMEs are able to deliver own services to end-users;	(c) require through the contracts referred to in Article 15 that <u>support new entrants</u> , start-ups and SMEs are able from across the Union to deliver own services to end-users;	(c) require through the contracts referred to in Article 15 that start-ups, SMEs and mid-cap companies from across the Union and SMEs are able to deliver own services to end-users;
Article 6(2), point (ca)			
135a		<u>(ca) promote the use and development of open standards,</u>	

		<u><i>open source technologies and interoperability in the architecture of the secure connectivity system, in order to allow synergies, optimise costs and improve reliability;</i></u>	
Article 6(2), point (cb)			
135b		<u><i>(cb) promote the development and production in the Union of reception antennas and user terminals, which are required to exploit governmental and commercial communication services;</i></u>	
Article 6(2), point (d)			
136	(d) promote stronger participation of women innovators and establish equality and inclusion goals in the tender documentation.	(d) promote stronger participation of women innovators and establish equality and inclusion goals in the tender documentation-;	Moved to row 136e
Article 6(2), point (da)			
136a		<u><i>(da) contribute to the development of skills in space-related fields and to training activities.</i></u>	
Article 6(2a), introductory part			
136b			2a. The Commission shall also:
Article 6(2a), point (a)			

136c			<p>(a) support the procurement and aggregation of service contracts for the needs of the Programme with the objective of leveraging and stimulating private investments in the long term, including through joint procurement;</p> <p>Point (ca) in Council Mandate 10854/22</p>
Article 6(2a), point (b)			
136d			<p>(b) promote the use of open standards in the architecture of the secure connectivity system in order to foster innovation, reduce costs and reap the benefits of wide competition;</p> <p>Point (cb) in Council Mandate 10854/22</p>
point (d)			
136e	<p>(d) promote stronger participation of women innovators and establish equality and inclusion goals in the tender documentation.</p> <p>Moved reference text</p>		<p>(d)(c) promote and encourage stronger participation of women innovators and establish equality and inclusion goals in the tender documentation-;</p> <p>Point (d) in Council Mandate 10854/22</p> <p>Moved from row 136</p>
Article 6(2a), point (d)			

136f			<p>(d) contribute to the development of advanced skills in space-related fields and to training activities.</p> <p>Point (e) in Council Mandate 10854/22</p>
Article 6a			
136g		<p><u>Article 6a</u> <u>Environmental and space sustainability</u></p>	
Article 6a(1)			
136h		<p><u>1. The implementation of the Programme shall be carried out with a view to ensuring the environmental and space sustainability.</u></p>	
Article 6a(2), introductory part			
136i		<p><u>2. In order to ensure environmental and space sustainability, the contracts and procedures referred to in Article 15 shall include provisions on:</u></p>	
Article 6a(2), point (a)			
136j		<p><u>(a) the minimisation of greenhouse gas emissions generated by the development, production and</u></p>	

		<u>deployment of the infrastructure;</u>	
Article 6a(2), point (b)			
136k		<u>(b) the establishment of a scheme to offset the remaining greenhouse gas emissions;</u>	
Article 6a(2), point (c)			
136l		<u>(c) appropriate measures to reduce visible and invisible radiation pollution caused by the spacecraft, and that can hamper astronomical observations or any other type of research and observations;</u>	
Article 6a(2), point (d)			
136m		<u>(d) the use of appropriate collision-avoidance technologies for spacecraft;</u>	
Article 6a(2), point (e)			
136n		<u>(e) the submission and implementation of a comprehensive debris mitigation plan before the deployment phase.</u>	
Article 6a(3)			
136o		<u>3. The contracts and procedures</u>	

		<u>referred to in Article 15 shall include an obligation to provide data to the entities in charge of producing SST information and SST services as referred to in Article 55 of Regulation (EU) 2021/696.</u>	
Article 6a(4)			
136p		<u>4. The Commission shall ensure that a comprehensive database of the Programme's space assets, in particular with data relating to environmental and space sustainability aspects, is maintained.</u>	
Article 6a(5)			
136q		<u>5. The Commission shall adopt delegated acts in accordance with Article 43, in order to supplement this Regulation by specifying the measures to be undertaken under each of the requirements listed in paragraphs 3 and 4 of this Article.</u>	
Chapter II			
137	Chapter II Services	Chapter II Services	Chapter II Services– and participants
Article 8			
137a	Article 8	Article 8	Article 8 6a

	Governmental services Moved reference text	Governmental services Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	Governmental services Moved from row 143
Article 8(1)			
137b	1. Governmental services shall be provided to the Programme participants referred to Article 9(1), (2) and (3). Moved reference text	1. Governmental services shall be provided to the Programme participants referred to Article 9(1), (2) and (3). Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	1. Governmental services shall be provided to the Programme participants referred to in Article 9(1), (2) and (3). Moved from row 144
Article 8(2)			
137c	2. The Commission shall adopt, by means of implementing acts, detailed rules on the provision of governmental services taking into account Article 66 of the Space Programme Regulation and the expected demand for the different use-cases, dynamic allocation of the resources and prioritisation of the governmental services according to relevance and criticality of the users' needs and, where appropriate, the cost-efficiency. Moved reference text	2. The Commission shall adopt, by means of implementing acts, detailed rules on the provision of governmental services taking into account Article 66 of the Space Programme Regulation and the expected demand for the different use-cases, dynamic allocation of the resources and prioritisation of the governmental services according to relevance and criticality of the users' needs and, where appropriate, the cost-efficiency. <u>To that end, the costs of providing the governmental services shall be calculated in a transparent manner and taken into account when determining the</u>	2. The Commission shall adopt, by means of implementing acts, detailed rules on the provision of governmental services, by taking into account Article 66 of the Space Programme Regulation and the expected Regulation (EU) 2021/696, based on the consolidated demand of current and anticipated needs for the different use-cases services as identified together with the Member States, dynamic allocation of the resources and prioritisation of the governmental services between different Programme participants, according to relevance and criticality of the users' needs and, where

		<u><i>provider of those services.</i></u> Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	appropriate, the cost-efficiency. Moved from row 145
Article 8(3)			
137d	3. Access to the governmental services shall be free of charge for its users. Moved reference text	3. Access to the governmental services shall be free of charge for its users. Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.	3. Access to The governmental services referred to in Article 7(1-a) shall be provided free of charge for its to its governmental users. Moved from row 146
Article 6a(3a)			
137e			3a. The Commission shall purchase the services referred to in Article 7(1-b), at market conditions, in accordance with the applicable provisions of the Financial Regulation with the objective to guarantee the provision of these services to all Member States. The precise capacity and budget allocation for these services shall be determined on the basis of input from the Member States in the implementing act referred to in paragraph 2 of this Article.
Article 6a(4), first subparagraph			

137f	<p>4. By way of derogation from paragraph 3, the Commission may, in duly justified cases and on an exceptional basis, determine, by means of implementing acts, a pricing policy.</p> <p>Moved reference text</p>	<p>4. By way of derogation from paragraph 3, the Commission may, in duly justified cases, <u>where strictly necessary to match supply and demand of governmental services, for a limited period</u> and on an exceptional basis, determine, by means of implementing acts, a pricing policy.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>4. By way of derogation from paragraph 3 of this Article, the Commission mayshall, in duly justified cases and on an exceptional basiswhere demand exceeds the access capacity, determine, by means of implementing acts, a pricing policy, which shall be coherent with the pricing policy referred to in Article 63(1) of Regulation (EU) 2021/696.</p> <p>Moved from row 147</p>
Article 6a(4), second subparagraph			
137g	<p>By determining this pricing policy, the Commission shall ensure that the provision of the governmental services does not distort competition, that there is no shortage of the governmental services and that the price identified will not result in an overcompensation of the beneficiary.</p> <p>Moved reference text</p>	<p>By determining this<u>the</u> pricing policy, the Commission shall ensure that the provision<u>there is no shortage</u> of the governmental services. <u>The pricing policy shall not result in an overcompensation</u>does not distort competition, that there is no shortage of the governmental services and that the price identified will not result in an overcompensation of the beneficiary<u>beneficiary. Any revenue from the pricing policy shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the 'Financial Regulation')</u>.</p> <p>Text of EP mandate copied here for</p>	<p>By determining this pricing policy, the Commission shall ensure that the provision of the governmental services does not distort competition, that there is no shortage of the governmental services and that the price identified will not result in an overcompensation of the beneficiarycontractors.</p> <p>Moved from row 148</p>

		comparison purposes only, no structural change of EP mandate.	
Article 6a(5)			
137h	<p>5. The implementing acts referred to in paragraphs 2 and 4 of this Article shall be adopted in accordance with the examination procedure referred to in Article 42(2).</p> <p>Moved reference text</p>	<p>5. The implementing acts referred to in paragraphs 2 and 4 of this Article shall be adopted in accordance with the examination procedure referred to in Article 42(2).</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>5. The implementing acts referred to in paragraphs 2 and 4 of this Article shall be adopted in accordance with the examination procedure referred to in Article 42(2).</p> <p>Moved from row 149</p>
Article 6a(6)			
137i	<p>6. The provision of governmental services between the users authorised by the same Programme participant shall be determined and implemented by that Programme participant.</p> <p>Moved reference text</p>	<p>6. The provision of governmental services between the users authorised by the same Programme participant shall be determined and implemented by that Programme participant.</p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	<p>6. The provision of governmental services between the users authorised by the same Programme participant shall be determined and implemented by that Programme participant.</p> <p>Moved from row 150</p>
Article 6a(7)			
137j			<p>7. The gradual provision of governmental services shall be ensured as laid down in the service portfolio referred to in Article 7(1-a) subject to the availability of the infrastructure of the secure</p>

			connectivity system, following the implementation of the activities set out in Article 4(1), points (a) and (c) and building on and leveraging existing services and capabilities as appropriate.
Article 6b(7)			
137k		<p><u>6a. The provision of the services shall be equal to the Member States in terms of service portfolio, geographical availability, and service performance and quality levels. The governmental services shall be available in priority over the Union's territory.</u></p> <p>Text of EP mandate copied here for comparison purposes only, no structural change of EP mandate.</p>	
Article 7			
138	Article 7 Definition of Services portfolio	Article 7 Definition of services portfolio	Article 7 Definition of Services portfolio
Article 7(1)			
139	1. The provision of governmental services shall be ensured as laid down in the service portfolio referred to in paragraph 3 and in accordance with the operational requirements set out in paragraph	1. The provision of <u>A service portfolio for</u> governmental services shall be ensured as laid down in the service portfolio referred to in paragraph 3 and in accordance with the operational requirements set out	deleted

	2.	in in paragraph 2. <u>established. It shall consist of the following categories of services, which complement the service portfolio for GOVSATCOM services referred to in Article 63(3) of Regulation (EU) 2021/696:</u>	
Article 7(1-a), introductory part			
139a			1-a. The service portfolio for the governmental services shall be established. It shall consist at least of the following categories of services, which complements the portfolio of GOVSATCOM services referred to in Article 63(3) of Regulation (EU) 2021/696:
Article 7(1-a), point (a)			
139b		<u>(a) services offered to governmental users based on governmental infrastructure, such as robust, worldwide, low-latency services or space data relays;</u>	(a) services restricted to government authorised users based on the governmental infrastructure, requiring a high level of security and not suitable for services under paragraph 1-b of this Article, such as robust worldwide low-latency service or robust space data relay;
Article 7(1-a), point (c)			
139c			(c) quantum communication services, such as the QKD service.

Article 7(1-a), point (b)			
139d		<u>(b) services offered to governmental users based on commercial infrastructure, such as secure, worldwide, low-latency services or worldwide narrowband services;</u>	
Article 7(1-a), point (c)			
139e		<u>(c) quantum key distribution service.</u>	
Article 7(1-b)			
139f			1-b. The service portfolio shall also comprise services to governmental users based on the commercial infrastructure, such as assured worldwide low latency service or worldwide narrowband service;
Article 7(1-c)			
139g			1-c. The service portfolio for the governmental services referred to under paragraphs 1-a and 1-b shall also comprise the technical specifications for each category of service, such as geographical coverage, frequency, bandwidth, user equipment and security

			features.
Article 7(1a)			
139h			<p>1a. The Commission shall adopt the service portfolio for the governmental services by means of implementing acts. Those implementing acts shall be based on the operational requirements referred to in paragraph 2 of this Article, on input from the Member States and on applicable security requirements referred to in Article 27(2). These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).</p>
Article 7(2)			
140	<p>2. The Commission shall adopt, by means of implementing acts, the operational requirements for governmental services, in the form of technical specifications for use-cases related in particular to crisis management, surveillance and key infrastructure management, including diplomatic communication networks. Those operational requirements shall be based on the detailed analysis of the requirements of the Programme users, shall take into account requirements stemming</p>	<p>2. The Commission shall adopt, by means of implementing acts, the operational requirements for governmental services, in the form of technical specifications for use-cases related in particular to crisis management, surveillance <u>space situational awareness</u> and key infrastructure management, including diplomatic communication networks. Those operational requirements shall be based on the detailed analysis of the requirements of the Programme users, shall take into account</p>	<p>2. The Commission shall adopt, by means of implementing acts, the operational requirements for governmental services, in the form of technical specifications and implementation plans for governmental services for use-cases related in particular to crisis management, surveillance and key infrastructure management, including diplomatic and defence communication networks and other governmental users' needs. Those operational requirements shall be</p>

	from existing user equipment and networks and operational requirements for GOVSATCOM services according to Article 63(2) of the Space Programme Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	requirements stemming from existing user equipment and networks and operational requirements for GOVSATCOM services according to Article 63(2) of the Space Programme Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	based on the detailed analysis requirements of the requirements of the Programme users, Programme users, tailored to cover the confirmed demand, and shall take into account requirements stemming from existing user equipment and networks and operational requirements for GOVSATCOM services according to adopted in accordance with Article 63(2) of the Space Programme Regulation Regulation (EU) 2021/696 . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).
Article 7(3)			
141	3. The Commission shall adopt, by means of implementing acts, the service portfolio for the governmental services in the form of a list of services and their attributes, including geographical coverage, frequency, bandwidth, user equipment, and security features. Those implementing acts shall be based on the operational requirements referred to in paragraph 2 of this Article and applicable security requirements referred to in Article 27(2). These implementing acts shall be adopted in accordance with the examination procedure	3. The Commission shall adopt, by means of implementing acts, the service portfolio for the governmental services in the form of a list of services and their attributes, including geographical coverage, frequency, bandwidth, user equipment, and security features. Those implementing acts shall be based on the operational requirements referred to in paragraph 2 of this Article and applicable security requirements referred to in Article 27(2). These implementing acts shall be adopted in accordance with the examination procedure	<i>deleted</i>

	referred to in Article 42(2).	referred to in Article 42(2).	
Article 7(4)			
142	<p>4. The provision of commercial services shall be financed by the contractor referred to in Article 15(2). The terms and conditions for the provision of commercial services shall be determined in the contracts referred to in Article 15. They shall in particular specify how the Commission will assess and approve the provision of commercial services to ensure that the Union's essential interests and the Programme's general and specific objectives referred to in Article 3 are preserved. They shall also include adequate safeguards to prevent distortions of competition in the provision of commercial services, to avoid any conflict of interest, undue discrimination and any other hidden indirect advantages to the contractor referred to in Article 15(2). Such safeguards may include the obligation of accounting separation between the provision of governmental services and the provision of commercial services, including the setting up of a structurally and legally separate entity from the vertically integrated operator for the provision of governmental services, and the</p>	<p>4. The provision of commercial services shall be financed by the contractor referred to in Article 15(2). The terms and conditions for the provision of commercial services and any related risks shall be determined in the contracts referred to in Article 15. They shall in particular specify how the Commission will assess and approve the provision of commercial services to ensure that the Union's essential interests and the Programme's general and specific objectives referred to in Article 3 are preserved. They shall also include adequate safeguards to prevent distortions of competition in the provision of commercial services, to avoid any conflict of interest, undue discrimination and any other hidden indirect advantages to financed entirely by the contractor referred to in Article 15(2). Such safeguards may include the obligation of accounting separation between the provision of governmental services and the provision of commercial services, including the setting up of a structurally and legally separate entity from the vertically integrated operator for the provision of</p>	<p>4. The provision of commercial services shall be financed by the contractor referred to in Article 15(2). The terms and conditions for the provision of commercial services shall be determined in the contracts referred to in Article 15. They shall in particular specify how the Commission will assess and approve the provision of provided through the commercial services to ensure that the Union's essential interests and the Programme's general and specific objectives referred to in Article 3 are preserved. They infrastructure shall also include adequate safeguards to prevent distortions of competition determined in the provision of commercial services, to avoid any conflict of interest, undue discrimination and any other hidden indirect advantages to the contractor contracts referred to in Article 15(2). Such safeguards may include the obligation of accounting separation between the provision of governmental services and the provision of commercial services, including the setting up of a structurally and legally separate entity from the vertically integrated</p>

	provision of open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services.	governmental services, and the provision of open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services.	operator for the provision of governmental services, and the provision of open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services ¹⁵ .
Article 8			
143	Article 8 Governmental services	Article 8 Governmental services	Moved to row 137a
Article 8(1)			
144	1. Governmental services shall be provided to the Programme participants referred to Article 9(1), (2) and (3).	1. Governmental services shall be provided to the Programme participants referred to Article 9(1), (2) and (3).	Moved to row 137b
Article 8(2)			
145	2. The Commission shall adopt, by means of implementing acts, detailed rules on the provision of governmental services taking into account Article 66 of the Space Programme Regulation and the expected demand for the different use-cases, dynamic allocation of the resources and prioritisation of the governmental services according to relevance and criticality of the users' needs and, where appropriate, the cost-efficiency.	2. The Commission shall adopt, by means of implementing acts, detailed rules on the provision of governmental services taking into account Article 66 of the Space Programme Regulation and the expected demand for the different use-cases, dynamic allocation of the resources and prioritisation of the governmental services according to relevance and criticality of the users' needs and, where appropriate, the cost-efficiency. <u>To that end, the costs of providing the governmental</u>	Moved to row 137c

		<u>services shall be calculated in a transparent manner and taken into account when determining the provider of those services.</u>	
Article 8(3)			
146	3. Access to the governmental services shall be free of charge for its users.	3. Access to the governmental services shall be free of charge for its users.	Moved to row 137d
Article 8(4), first subparagraph			
147	4. By way of derogation from paragraph 3, the Commission may, in duly justified cases and on an exceptional basis, determine, by means of implementing acts, a pricing policy.	4. By way of derogation from paragraph 3, the Commission may, in duly justified cases, <u>where strictly necessary to match supply and demand of governmental services, for a limited period</u> and on an exceptional basis, determine, by means of implementing acts, a pricing policy.	Moved to row 137f
Article 8(4), second subparagraph			
148	By determining this pricing policy, the Commission shall ensure that the provision of the governmental services does not distort competition, that there is no shortage of the governmental services and that the price identified will not result in an overcompensation of the beneficiary.	By determining this <u>the</u> pricing policy, the Commission shall ensure that the provision <u>there is no shortage</u> of the governmental services. <u>The pricing policy shall not result in an overcompensation</u> does not distort competition, that there is no shortage of the governmental services and that the price identified will not result in an	Moved to row 137g

		overcompensation of the beneficiary <u>beneficiary. Any revenue from the pricing policy shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the 'Financial Regulation').</u>	
Article 8(5)			
149	5. The implementing acts referred to in paragraphs 2 and 4 of this Article shall be adopted in accordance with the examination procedure referred to in Article 42(2).	5. The implementing acts referred to in paragraphs 2 and 4 of this Article shall be adopted in accordance with the examination procedure referred to in Article 42(2).	Moved to row 137h
Article 8(6)			
150	6. The provision of governmental services between the users authorised by the same Programme participant shall be determined and implemented by that Programme participant.	6. The provision of governmental services between the users authorised by the same Programme participant shall be determined and implemented by that Programme participant.	Moved to row 137i
Article 8(6a)			
150a		<u>6a. The provision of the services shall be equal to the Member States in terms of service portfolio, geographical availability, and service performance and quality levels. The governmental services shall be available in priority over the</u>	

		<u>Union's territory.</u>	
Article 9			
151	Article 9 Programme participants and competent authorities	Article 9 Programme participants and competent authorities	Article 9 Programme participants and competent authorities
Article 9(1)			
152	1. Member States, the Council, the Commission and the European External Action Service (EEAS) shall be the Programme participants insofar as they authorise the users of the governmental services.	1. Member States, the Council, the Commission and the European External Action Service (EEAS) shall be the Programme participants insofar as they authorise the users of the governmental services.	1. Member States, the Council, the Commission and the European External Action Service (EEAS) shall be the Programme participants insofar as they authorise the users of the governmental services or provide capacities, sites or facilities.
Article 9(2)			
153	2. Union agencies and bodies may become the Programme participants insofar as necessary to fulfil their tasks and in accordance with detailed rules laid down in an administrative arrangement concluded between the agency concerned and the Union institution that supervises it.	2. Union agencies and bodies may become the Programme participants insofar as necessary to fulfil their tasks and in accordance with detailed rules laid down in an administrative arrangement concluded between the agency concerned and the Union institution that supervises it.	2. Union agencies and bodies may become the Programme participants insofar as necessary to fulfil their tasks and in accordance with detailed rules laid down in an administrative arrangement concluded between the agency concerned and the Union institution that supervises it.
Article 9(3)			
154	3. Third countries and international organisations may become the	3. Third countries and international organisations may become the	3. Third countries and international organisations may become the

	Programme participants in accordance with Article 36.	Programme participants in accordance with Article 36.	Programme participants in accordance with Article 36.
Article 9(4), first subparagraph			
155	4. Each Programme participant shall designate one Secure Connectivity Competent authority.	4. Each Programme participant shall designate one Secure Connectivity Competent authority. <u>Where GOVSATCOM participants referred to in Article 68 of Regulation (EU) 2021/696, participating in the Programme, designated a competent authority in accordance with Article 68(4) of Regulation 2021/696, they shall designate the same authority as Secure Connectivity Competent authority.</u>	4. Each Programme participant shall designate one Secure Connectivity Competent authority.
Article 9(4), second subparagraph, introductory part			
156	That requirement shall be deemed to be complied with by the Programme participants, if they satisfy the following criteria:	That requirement shall be deemed to be complied with by the Programme participants, if they satisfy the following criteria:	That requirement shall be deemed to be complied with by the Programme participants, if they satisfy the following criteria:
Article 9(4), second subparagraph, point (a)			
157	(a) they are also GOVSATCOM participants referred to in Article 68 of Regulation (EU) 2021/696; and	(a) they are also GOVSATCOM participants referred to in Article 68 of Regulation (EU) 2021/696; and	(a) they are also GOVSATCOM participants referred to in Article 68 of Regulation (EU) 2021/696; and
Article 9(4), second subparagraph, point (b)			
158	(b) they have designated a	(b) they have designated a	(b) they have designated a

	competent authority in accordance with Article 68(4) of Regulation 2021/696.	competent authority in accordance with Article 68(4) of Regulation 2021/696.	competent authority in accordance with Article 68(4) of Regulation 2021/696. Regulation (EU) 2021/696.
Article 9(4a)			
158a		<u><i>4a. The prioritisation of governmental capacities between the users authorised by each Programme participant shall be determined and implemented by that Programme participant.</i></u>	
Article 9(5), introductory part			
159	5. A Secure Connectivity Competent authority referred to in paragraph 4 shall ensure that:	5. A Secure Connectivity Competent authority referred to in paragraph 4 shall ensure that:	5. A Secure Connectivity Competent authority referred to in paragraph 4 of this Article shall ensure that:
Article 9(5), point (a)			
160	(a) the use of services is in compliance with the applicable security requirements;	(a) the use of services is in compliance with the applicable security requirements;	(a) the use of governmental services is in compliance with the applicable security requirements referred to in Article 27(2) ;
Article 9(5), point (b)			
161	(b) the access rights to the governmental services are determined and managed;	(b) the access rights to the governmental services are determined and managed;	(b) the access rights to the governmental services are determined and managed;
Article 9(5), point (c)			

162	(c) user equipment necessary for the use of the governmental services and associated electronic communication connections and information are used and managed in accordance with applicable security requirements;	(c) user equipment necessary for the use of the governmental services and associated electronic communication connections and information are used and managed in accordance with applicable security <u>and sustainability</u> requirements;	(c) user equipment necessary for the use of the governmental services and associated electronic communication connections and information are used and managed in accordance with applicable security requirements;
Article 9(5), point (d)			
163	(d) a central point of contact is established to assist as necessary in the reporting of security risks and threats, in particular the detection of potentially harmful electromagnetic interference affecting the services under the Programme.	(d) a central point of contact is established to assist as necessary in the reporting of security risks and threats, in particular the detection of <u>potential collisions and</u> potentially harmful electromagnetic interference affecting the services under the Programme.	(d) a central point of contact is established to assist as necessary in the reporting of security risks and threats, in particular the detection of potentially harmful electromagnetic interference affecting the services under the Programme.
Article 10			
164	Article 10 Users of the governmental services	Article 10 Users of the governmental services	Article 10 Users of the governmental services
Article 10(1), introductory part			
165	1. The following entities may be authorised as users of the governmental services:	1. The following entities may be authorised as users of the governmental services:	1. The following entities may be authorised as users of the governmental services:
Article 10(1), point (a)			
166	(a) a Union or Member State public	(a) a Union or Member State public	(a) a Union or Member State public

	authority or a body entrusted with the exercise of such public authority;	authority or a body entrusted with the exercise of such public authority;	authority or a body entrusted with the exercise of such public authority;
Article 10(1), point (b)			
167	(b) a natural or legal person acting on behalf of and under the control of an entity referred to in point (a) of this paragraph.	(b) a natural or legal person acting on behalf of and under the control of an entity referred to in point (a) of this paragraph.	(b) a natural or legal person acting on behalf of and under the control of an entity referred to in point (a) of this paragraph.
Article 10(2)			
168	2. The users of the governmental services referred to in paragraph 1 shall be duly authorised by the Programme participants referred to in Article 9 to use the governmental services and shall comply with the general security requirements referred to in Article 27(2).	2. The users of the governmental services referred to in paragraph 1 shall be duly authorised by the Programme participants referred to in Article 9 to use the governmental services and shall comply with the general security requirements referred to in Article 27(2).	2. The users of the governmental services referred to in paragraph 1 shall be duly authorised by the Programme participants referred to in Article 9 to use the governmental services and shall comply with the general security requirements referred to in Article 27(2).
Article 10(3)			
168a			3. The prioritisation of governmental services between the users authorised by each Programme participant shall be determined and implemented by that Programme participant.
Chapter III			
169	Chapter III Budgetary contribution and	Chapter III Budgetary contribution and	Chapter III Budgetary contribution and funding

	mechanisms	mechanisms	mechanisms
Article 11			
170	Article 11 Budget	Article 11 Budget	Article 11 Budget
Article 11(1), first subparagraph			
171	1. The financial envelope for the implementation of the Programme for the period from 1 January 2023 to 31 December 2027 and for covering the associated risks shall be EUR 1,600 billion in current prices.	1. The financial envelope for the implementation of the Programme for the period from 1 January 2023 to 31 December 2027 and for covering the associated risks <u>relating to the governmental infrastructure only</u> shall be EUR 1,600 1,750 billion in current prices. <u>That amount shall be drawn from the unallocated margins under the MFF 2021-2027 ceilings or mobilised through the non-thematic MFF special instruments.</u>	1. The financial envelope for the implementation of the Programme for the period from 1 January 2023 to 31 December 2027 and for covering the associated risks shall be EUR 1,600 1.600 billion in current prices.
Article 11(1), second subparagraph, introductory part			
172	The indicative distribution of the amount from the MFF 2021-27 shall be as follows:	The indicative distribution of the amount from the MFF 2021-27 shall be as follows:	The indicative distribution of the amount amount referred to in the first subparagraph shall be distributed from the MFF 2021-27 shall be 2027 as follows:
Article 11(1), point (a)			
173	- EUR 950 million from Heading 1;	- EUR 950 million from Heading 1;	-(a) EUR 950 million 0.950 billion from Heading 1 (Single Market,

			Innovation and Digital);
Article 11(1), point (b)			
174	- EUR 500 million from Heading 5;	- EUR 500 million from Heading 5;	-(b) EUR 500 million 0.500 billion from Heading 5 (Security and Defence);
Article 11(1), point (b)			
175	- EUR 150 million from Heading 6.	- EUR 150 million from Heading 6.	-(c) EUR 150 million 0.150 billion from Heading 6 (Neighbourhood and the World).
Article 11(2)			
176	2. The Programme shall be complemented by funding implemented under the Horizon Europe Programme, the Union Space Programme and the Neighbourhood, Development and International Cooperation Instrument (NDICI) for a maximum indicative amount of EUR 0,430 billion, EUR 0,220 billion and EUR 0,150 billion respectively. This funding shall be implemented in accordance with Regulation (EU) No 2021/695, Regulation (EU) No 2021/696 and Regulation (EU) No. 2021/947 respectively.	2. The Programme shall be complemented by funding implemented <u>by relevant activities</u> under the Horizon Europe Programme, the Union Space Programme and the Neighbourhood, Development and International Cooperation Instrument (NDICI) <u>GOVSATCOM component of the Union Space Programme</u> for a maximum indicative amount of EUR 0,430 billion, EUR 0,220 billion and EUR 0,150 , <u>220</u> billion respectively. This funding shall be implemented in accordance with <u>full compliance with the objectives, rules and procedures set out in</u> Regulation (EU) No 2021/695, Regulation (EU) No 2021/696 <u>Council Decision (EU)</u>	2. The Programme shall be complemented by funding an amount of EUR 0,800 billion implemented under the Horizon Europe Programme , GOVSATCOM component of the Union Space Programme, the Horizon Europe Programme and the Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI). This funding shall be implemented in full compliance with the objectives, rules and procedures set out in Regulation (EU) 2021/695, and Council Decision (EU) 2021/764, and Regulations (EU) 2021/696 and (EU) for a maximum indicative amount of EUR 0,430 billion, EUR

		<u>2021/764 and Regulation (EU) No. 2021/947 respectively. No 2021/696 respectively, and with full respect for their objectives, criteria and implementation arrangements.</u>	0,220 billion and EUR 0,150 billion respectively. This funding shall be implemented in accordance with Regulation (EU) No 2021/695, Regulation (EU) No 2021/696 and Regulation (EU) No. 2021/947 respectively.
Article 11(3), introductory part			
177	3. The amount referred to in paragraph 1 may be used to cover all the activities required to fulfil the objectives referred to in Article 3. Such expenditure may also cover:	3. The amount referred to in paragraph 1 may be used to cover all the activities required to fulfil the objectives referred to in Article 3. Such expenditure may also cover:	3. The amount referred to in paragraph 1, first subparagraph, shall may be used to cover all the activities required to fulfil the objectives referred to in Article 33(1), point (a) and for the purchase of services referred to in Article 6a(3a). Such expenditure may also cover:
Article 11(3), point (a)			
178	(a) studies and meetings of experts, in particular compliance with its cost and time constraints;	(a) studies and meetings of experts, in particular compliance with its cost and time constraints;	(a) studies and meetings of experts, in particular compliance with its cost and time constraints;
Article 11(3), point (b)			
179	(b) information and communication activities, including corporate communication on the policy priorities of the Union where they are directly linked to the objectives of this Regulation, with a particular view to creating synergies with other	(b) information and communication activities, including corporate communication on the policy priorities of the Union where they are directly linked to the objectives of this Regulation, with a particular view to creating synergies with other	(b) information and communication activities, including corporate communication on the policy priorities of the Union where they are directly linked to the objectives of this Regulation, with a particular view to creating synergies with other

	Union policies;	Union policies;	Union policies;
Article 11(3), point (c)			
180	(c) the information technology networks whose function it is to process or exchange information, and the administrative management measures implemented by the Commission, including in the field of security, implemented by the Commission;	(c) the information technology networks whose function it is to process or exchange information, and the administrative management measures implemented by the Commission, including in the field of security, implemented by the Commission;	(c) the information technology networks whose function it is to process or exchange information, and the administrative management measures implemented by the Commission, including in the field of security, implemented by the Commission;
Article 11(3), point (d)			
181	(d) technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.	(d) technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.	(d) technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.
Article 11(3a)			
181a			3a. Actions that receive cumulative funding from different Union programmes shall be audited only once, covering all involved programmes and their respective applicable rules.
Article 11(4)			
182			

	4. Budgetary commitments for activities extending over more than one financial year may be broken down over several years into annual instalments.	4. Budgetary commitments for activities extending over more than one financial year may be broken down over several years into annual instalments.	4. Budgetary commitments for activities extending over more than one financial year may be broken down over several years into annual instalments.
Article 11(5)			
182a			<p>5. Resources allocated to Member States under shared management may, at the request of the Member State concerned, be transferred to the Programme, subject to the conditions set out in Article 26 of Regulation (EU) 2021/1060 of the European Parliament and of the Council¹. The Commission shall implement those resources directly in accordance with point (a) of the first subparagraph of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that subparagraph. Those resources shall be used for the benefit of the Member State concerned.</p> <p>¹ Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for</p>

			Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159)
Article 12			
183	Article 12 Cumulative and alternative funding	Article 12 Cumulative and alternative funding	Article 12 Cumulative and alternative funding
Article 12, first paragraph			
184	An action that has received a contribution from another Union programme, including funds under shared management, may also receive a contribution under the Programme, provided that the contributions do not cover the same costs. The rules of the relevant Union programme shall apply to the corresponding contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action. The support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	An action that has received a contribution from another Union programme, including funds under shared management, may also receive a contribution under the Programme, provided that the contributions do not cover the same costs. The rules of the relevant Union programme shall apply to the corresponding contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action. The support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	An action that has received a contribution from another Union programme, including funds under shared management, may also receive a contribution under the Programme, provided that the contributions do not cover the same costs. The rules of the relevant Union programme shall apply to the corresponding contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action. The support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.
Article 13			
185	Article 13 Contributions to the Programme	Article 13 Contributions to the Programme	Article 13 Additional contributions to the Programme

Article 13(1), introductory part			
186	1. The Programme may receive additional financial contributions or contributions in-kind from:	1. The Programme may receive additional financial contributions or contributions in-kind from:	1. The Programme may receive additional financial contributions or contributions in-kind from any of the following :
Article 13(1), point (a)			
187	(a) Union agencies and bodies;	(a) Union agencies and bodies;	(a) Union agencies and bodies;
Article 13(1), point (b)			
188	(b) Member States;	(b) Member States;	(b) Member States in line with relevant agreements ;
Article 13(1), point (c)			
189	(c) Third countries participating in the programme;	(c) Third countries participating in the programme;	(c) Third countries participating in the Programme in line with relevant agreements ;
Article 13(1), point (d)			
190	(d) European Space Agency (ESA) or other international organisations in line with relevant agreements.	(d) European Space Agency (ESA) or other international organisations in line with relevant agreements.	<i>deleted</i>
Article 13(1), point (e)			
190a			(e) other international organisations in line with relevant agreements.

Article 13(1), point (da)			
190b		<u>(da) Private sector contributions.</u>	
Article 13(1a)			
190c		<u>1a. The Programme may receive additional financial contributions from ESA in support of development and validation activities comprised in contracts awarded pursuant to Article 15.</u>	
Article 13(2)			
191	2. The additional financial contribution referred to in paragraph 1 of this Article and revenues pursuant to Article 8(4) shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the 'Financial Regulation').	2. The additional financial contribution referred to in paragraph 1 <u>and 1a</u> of this Article and revenues pursuant to Article 8(4) shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the 'Financial Regulation').	2. The additional financial contribution referred to in paragraph 1 of this Article and revenues pursuant to Article 8(4) 6a(4) shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the 'Financial Regulation').
Article 13a			
191a			Article 13a ESA contribution
Article 13a, first paragraph			
191b			

			The ESA, in accordance with its own internal rules and procedures, may contribute through ESA optional programmes to the Programme's activities.
Article 13b			
191c			Article 13b Private sector contribution
Article 13b, first paragraph			
191d			The contractors referred to in Article 15 shall entirely finance the commercial infrastructure referred to in Article 5 in order to fulfil the objective referred to in Article 3(1), point (c).
Article 14			
192	Article 14 Implementation and forms of Union funding	Article 14 Implementation and forms of Union funding	Article 14 Implementation and forms of Union funding
Article 14(1)			
193	1. The Programme shall be implemented under direct management in accordance with the Financial Regulation or under indirect management with bodies referred to in the first subparagraph	1. The Programme shall be implemented under direct management in accordance with the Financial Regulation or under indirect management with bodies referred to in the first subparagraph	1. The Programme shall be implemented under direct management in accordance with the Financial Regulation or under indirect management with bodies entities referred to in the first

	of point (c) of Article 62(1) of the Financial Regulation.	of point (c) of Article 62(1) of the Financial Regulation.	subparagraph of point (c) of Article 62(1) of the Financial Regulation.
Article 14(2)			
194	2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.
Chapter IV			
195	Chapter IV Implementation of the Programme	Chapter IV Implementation of the Programme	Chapter IV Implementation of the Programme
Article 15			
196	Article 15 Implementation model	Article 15 Implementation model	Article 15 Implementation model
Article 15(-1)			
196a			-1. The Programme implementation shall follow, as appropriate, a phased approach until full completion of the activities referred to in Article 4. The Commission, in full coordination with the Member States, shall ensure that the

			procurement approach allows for the widest competition possible in order to foster appropriate participation of the entire industrial value chain for the contracts related to the provision of the services referred to in Article 7(1-a) and the contracts related to the purchase of the services referred to in Article 7(1-b).
Article 15(1)			
197	1. The activities set out in Article 4 of this Regulation shall be implemented through contracts awarded in compliance with the Financial Regulation and the principles of procurement under Article 17 of this Regulation.	1. The activities set out in Article 4 of this Regulation shall be implemented through contracts awarded in compliance with the Financial Regulation and the principles of procurement under Article 17 of this Regulation.	1. The activities set out in Article 4 of this Regulation shall be implemented through several contracts awarded in compliance with the Financial Regulation and the principles of procurement under Article 17 of this Regulation and may take the form of concession contracts, supply, service, or works contracts or mixed contracts.
Article 15(1a)			
197a			1a. The contracts referred to in this Article shall be procured under direct or indirect management and may take the form of an inter-institutional procurement referred to in Article 165(1) of the Financial Regulation, between the Commission and the

			Agency, whereby the Commission shall assume the role of lead contracting authority.
Article 15(1aa)			
197b			1aa. The procurement approach and the establishment of tender specifications for the contracts referred to in paragraph 1 shall comply with the implementing acts referred to in Articles 6a(2), 7(1a) and 7(2).
Article 15(2)			
198	2. The roles, responsibilities, financial scheme and allocation of risks between the Union and the contractor for their implementation shall be set out in contracts, which may take the form of a concession contract, a supply, service or works contract or a mixed contract, taking into account the ownership regime under Article 16 and the funding of the Programme under Chapter III.	2. The roles, responsibilities, financial scheme and allocation of risks between the Union and the contractor for their implementation shall be set out in contracts, which may take the form of a concession contract, a supply, service or works contract or a mixed contract, taking into account the ownership regime under Article 16 and the funding of the Programme under Chapter III.	2. If the result of the procurement procedure referred to in paragraph 1 takes the form of a concession contract, such contract The roles, responsibilities, financial scheme and allocation of risks between the Union and the contractor for their implementation shall be set out in contracts, which may take the form of a concession contract, a supply, service or works contract or a mixed contract, detail the architecture of the governmental infrastructure of the secure connectivity system, roles, responsibilities, financial scheme and allocation of risks between the Union and the contractors taking into account the ownership regime

			under Article 165a and the funding of the Programme under Chapter III.
Article 15(3)			
199	3. The contracts referred to in this Article shall be procured under direct and indirect management and may take the form of an inter-institutional procurement referred to in Article 165(1) of the Financial Regulation, between the Commission and the Agency, whereby the Commission shall assume the role of lead contracting authority.	3. The contracts referred to in this Article shall be procured under direct and indirect management and may take the form of an inter-institutional procurement referred to in Article 165(1) of the Financial Regulation, between the Commission and the Agency, whereby the Commission shall assume the role of lead contracting authority.	<i>deleted</i>
Article 15(4)			
200	4. If the procurement procedure referred to in paragraph 2 takes the form of a concession contract and such procedure leads to the failure to conclude the concession contract, the Commission shall restructure the procurement and implement a supply, service or works contract, as appropriate for an optimal implementation of the Programme.	4. If the procurement procedure referred to in paragraph 2 takes the form of a concession contract and such procedure leads to the failure to conclude the concession contract, the Commission shall restructure the procurement and implement a supply, service or works contract, as appropriate for an optimal implementation of the Programme.	4. If the procurement procedure referred to in paragraph 2 takes the form of a concession contract and such procedure leads to the failure to conclude the concession contract, the Commission shall restructure the procurement and implement a concession contract is not awarded, the Commission shall ensure an optimal implementation of the objective referred to in Article 3(1), point (a), by procuring, as appropriate, a supply, service or works contract, as appropriate for an optimal implementation of the Programme or a mixed contract.

Article 15(4a)			
200a			4a. The Commission shall take necessary measures to ensure continuity of the governmental services if the contractors are unable to fulfil their obligations.
Article 15(5)			
201	5. Where appropriate, the procurement procedures for the contracts referred to in this Article may also take the form of joint procurements with Member States, according to Article 165(2) of the Financial Regulation.	5. Where appropriate, the procurement procedures for the contracts referred to in this Article may also take the form of joint procurements with Member States, according to Article 165(2) of the Financial Regulation.	5. Where appropriate, the procurement procedures for the contracts referred to in this Article may also take the form of joint procurements with Member States, according to Article 165(2) of the Financial Regulation.
Article 15(6)			
202	6. The contracts referred to in this Article shall include adequate safeguards to avoid any overcompensation of the contractor, distortions of competition, any conflict of interest, undue discrimination and any other hidden indirect advantages. In accordance with Article 7(4), they shall contain provisions on the assessment and approval process of commercial services provided by the contractor to ensure that the Union's essential interest and the Programme	6. The contracts referred to in this Article shall <u>ensure that the provision of commercial services preserves the Union's essential interests and the Programme's general and specific objectives referred to in Article 3. They shall in particular specify how the Commission is to assess and approve the provision of commercial services, in order to ensure that the Union's essential interests and the Programme's general and specific objectives are preserved and what</u>	6. The contracts referred to in this Article shall in particular ensure that the provision of services based on commercial infrastructure preserves the Union's essential interests and the Programme's general and specific objectives referred to in Article 3. They shall also include adequate safeguards to avoid any overcompensation of the contractor contractors , distortions of competition, any conflict of interest, undue discrimination and any other hidden indirect advantages. It

	objectives are preserved.	<p><u>measures are to be taken in the event that those essential interests are not respected or those objectives are not met. Moreover, they shall include measures to ensure service continuity in the event of a major failing on the part of the contractor. Those contracts shall also</u> include adequate safeguards to avoid any overcompensation of the contractor, distortions of competition, any conflict <u>conflicts</u> of interest, undue discrimination and <u>or</u> any other hidden indirect advantages. In accordance with Article 7(4), they shall contain provisions on the assessment and approval process. <u>Such safeguards shall include the obligation of accounting separation between the provision of governmental services and the provision</u> of commercial services, <u>including the setting up of a structurally and legally separate entity from the vertically integrated operator for the provision of governmental services, and the provision of open, fair, reasonable and non-discriminatory access to infrastructure necessary for the provision of commercial services.</u></p> <p><u>The Commission shall</u> provided by the contractor to ensure that the Union's essential interest and the Programme objectives are preserved <u>control over the</u></p>	<p>accordance with Article 7(4), they shall contain provisions on the assessment and approval process. <u>Such safeguards may include the obligation of accounting separation between the provision of governmental services and the provision of commercial services, including the setting up of a structurally and legally separate entity from the vertically integrated operator for the provision of governmental services, and the provision of fair, reasonable and non-discriminatory access to infrastructure necessary for the provision of commercial services provided by the contractor to ensure that the Union's essential interest and the Programme objectives are preserved.</u></p>
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		<u>infrastructure shared with the private partner, thereof contractual provisions shall be considered in the concession agreement such as buy-back option in case of default, veto right in case of acquisition by a third country company and vetting of key personnel.</u>	
Article 15(6a)			
202a			6a. Where the governmental and commercial services rely on common subsystems or interfaces to ensure synergies, the contracts referred to in this Article shall also determine which of those interfaces and common subsystems shall be part of the governmental infrastructure in order to ensure the protection of the security interests of the Union and its Member States.
Article 15(7)			
203	7. The contracts referred to in this Article shall contain provisions on the establishment of a scheme to offset the CO ₂ emissions generated by the launches of the infrastructure referred to in Article 5.	7. The contracts referred to in this Article shall contain provisions on the establishment of a scheme to offset the CO₂ emissions generated by the launches of the infrastructure referred to in Article 5.	7. The contracts referred to in this Article shall contain provisions on the establishment of a scheme to offset the CO ₂ emissions generated by the launches development, production and deployment of the infrastructure referred to in Article 5, as well as appropriate measures for spacecraft disposal at the end

			of operational lifetime to prevent the proliferation of space debris.
Article 15(7a)			
203a		<u>7a. Without prejudice to the Financial Regulation, the Commission shall, upon the request of the European Parliament, provide detailed information about the procurements procedures and contracts referred to in this Article.</u>	
Article 15(7b)			
203b		<u>7b. The contracts referred to in this Article shall contain provisions on mitigating cybersecurity risks.</u>	
Article 16			
204	Article 16 Ownership and use of assets	Article 16 Ownership and use of assets	Moved to row 129a
Article 16(1), first subparagraph			
205	1. The Union shall be the owner of all tangible and intangible assets laid down in Article 5, which form part of the governmental infrastructure. To that effect, the Commission shall ensure that contracts, agreements and other arrangements concerning activities that may result in the	1. The Union shall be the owner of all tangible and intangible assets laid down in Article 5, which form part of the governmental infrastructure. To that effect, the Commission shall ensure that contracts, agreements and other arrangements concerning activities that may result in the	Moved to row 129b

	creation or development of such assets contain provisions ensuring the Union's ownership of those assets.	creation or development of such assets contain provisions ensuring the Union's ownership of those assets.	
Article 16(1), second subparagraph, introductory part			
206	In particular, the Commission shall ensure that the Union has the following rights:	In particular, the Commission shall ensure that the Union has the following rights:	Moved to row 129c
Article 16(1), second subparagraph, point (a)			
207	(a) the right of use of the frequencies required for the transmission of the signals generated by the Programme, in accordance with the applicable laws, regulations and relevant licensing agreements and the filings provided by the Member States remaining their property;	(a) the right of use of the frequencies required for the transmission of the signals generated by the Programme, in accordance with the applicable laws, regulations and relevant licensing agreements and the filings provided by the Member States remaining their property;	Moved to row 129d
Article 16(1), second subparagraph, point (b)			
208	(b) the right to prioritise the provision of the governmental services over the commercial services, according to terms and conditions to be established in the contracts referred to in Article 15 and considering the users of the governmental services referred to in Article 10(1).	(b) the right to prioritise the provision of the governmental services over the commercial services, according to terms and conditions to be established in the contracts referred to in Article 15 and considering the users of the governmental services referred to in Article 10(1).	Moved to row 129e

Article 16(2), introductory part			
209	2. By way of derogation from paragraph 1, the Commission shall seek to conclude contracts, agreements or other arrangements with third parties with regard to:	2. By way of derogation from paragraph 1, the Commission shall seek to conclude contracts, agreements or other arrangements with third parties with regard to:	Moved to row 129f
Article 16(2), point (a)			
210	(a) pre-existing ownership rights in respect of tangible and intangible assets forming part of the Programme infrastructure;	(a) pre-existing ownership rights in respect of tangible and intangible assets forming part of the Programme infrastructure;	Moved to row 129g
Article 16(2), point (b)			
211	(b) the acquisition of the ownership or license rights in respect of other tangible and intangible assets necessary for the implementation of the Programme.	(b) the acquisition of the ownership or license rights in respect of other tangible and intangible assets necessary for the implementation of the Programme, <u>in relation to the provision of governmental services</u> .	Moved to row 129h
Article 16(3), introductory part			
212	3. Where the assets referred to in paragraphs 1 and 2 consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking into account:	3. Where the assets referred to in paragraphs 1 and 2 consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking into account:	Moved to row 129i
Article 16(3), point (a)			

213	(a) the need to protect and give value to the assets;	(a) the need to protect and give value to the assets;	Moved to row 129j
Article 16(3), point (b)			
214	(b) the legitimate interests of all stakeholders concerned;	(b) the legitimate interests of all stakeholders concerned;	Moved to row 129k
Article 16(3), point (c)			
215	(c) the need to ensure competitive and well-functioning markets and to develop new technologies;	(c) the need to ensure competitive and well-functioning markets and to develop new technologies;	Moved to row 129l
Article 16(3), point (d)			
216	(d) the need for the continuity of the services provided by the Programme.	(d) the need for the continuity of the services provided by the Programme.	Moved to row 129m
Article 16(4)			
217	4. The Commission shall, in particular, ensure that the relevant contracts, agreements and other arrangements include the possibility of transferring those intellectual property rights to third parties or of granting third-party licences for those rights, including to the creator of the intellectual property, and that such third parties can freely enjoy those rights where necessary for carrying out their tasks under this	4. The Commission shall, in particular, ensure that the relevant contracts, agreements and other arrangements include the possibility of transferring those intellectual property rights to third parties or of granting third-party licences for those rights, including to the creator of the intellectual property, and that such third parties can freely enjoy those rights where necessary for carrying out their tasks under this Regulation.	Moved to row 129n

	Regulation.		
Article 17			
218	Article 17 Principles of procurement	Article 17 Principles of procurement	Article 17 Principles of procurement
Article 17(1)			
219	1. Procurement under the Programme shall be carried out in accordance with the rules on procurement laid down by the Financial Regulation.	1. Procurement under the Programme shall be carried out in accordance with the rules on procurement laid down by the Financial Regulation.	1. Public procurement under the Programme shall be carried out in accordance with the rules on procurement laid down by the Financial Regulation.
Article 17(2), introductory part			
220	2. In procurement procedures for the purpose of the Programme, complementing the principles laid down in the Financial Regulation, the contracting authority shall act in accordance with the following principles:	2. In procurement procedures for the purpose of the Programme, complementing the principles laid down in the Financial Regulation, the contracting authority shall act in accordance with the following principles:	2. In public procurement procedures for the purpose of the Programme, complementing the principles laid down in the Financial Regulation, the contracting authority shall act in accordance with the following principles:
Article 17(2), point (a)			
221	(a) to promote in all Member States throughout the Union and throughout the supply chain, the widest and most open participation possible by economic operators, in particular start-ups, new entrants and SMEs, including in the case of sub-	(a) to promote in all Member States throughout the Union and throughout the supply chain, the widest and most open participation possible by economic operators, in particular start-ups, new entrants and SMEs, including in the case of sub-	(a) to promote in all Member States throughout across the Union and throughout the supply chain, the widest and most open participation possible by economic operators, in particular start-ups, new entrants and SMEs, including in the case of sub-

	contracting by the tenderers;	contracting by the tenderers, <u>by requiring, where appropriate, a minimum number of economic operators established in different Member States</u> ;	contracting by the tenderers;
Article 17(2), point (b)			
222	(b) to ensure effective competition in the tendering process, while taking into account the objectives of technological independence and continuity of services;	(b) to ensure effective competition in the tendering process, while taking into account the objectives of technological independence and continuity of services;	(b) to ensure effective competition in the tendering process, and where possible, to avoid reliance on a single provider, in particular for critical equipment and services , while taking into account the objectives of technological independence and continuity of services;
Article 17(2), point (c)			
223	(c) to follow the principles of open access and competition, by tendering on the basis of the provision of transparent and timely information, clear communication of the applicable procurement rules and procedures, selection and award criteria and any other relevant information allowing a level-playing field for all potential tenderers;	(c) to follow the principles of open access and competition, by tendering on the basis of the provision of transparent and timely information, clear communication of the applicable procurement rules and procedures, selection and award criteria and any other relevant information allowing a level-playing field for all potential tenderers;	(c) to follow the principles of open access and competition, by tendering on the basis of the provision of transparent and timely information, clear communication of the applicable procurement rules and procedures, selection and award criteria and any other relevant information allowing a level-playing field for all potential tenderers;
Article 17(2), point (d)			
224	(d) to protect the security and public interest of the Union and its Member	(d) to protect the security and public interest of the Union and its Member	(d) to protect the security and public interest of the Union and its Member

	States, including through a reinforcement of the autonomy of the Union, in particular in technological terms;	States, including through a reinforcement of the <u>technological and strategic</u> autonomy of the Union, in particular in technological terms, <u>by performing risk assessments and implementing disruption risk mitigation measures when only one supplier is available</u> ;	States, including through a reinforcement of the autonomy of the Union, in particular in technological terms;
Article 17(2), point (da)			
224a		<u>(da) to ensure the continuity of operations, contracts and procurement procedures must either provide for diversification of products, components and services supplies among providers or implement disruption risk measures;</u>	
Article 17(2), point (e)			
225	(e) to comply with the security requirements of the Programme's core infrastructure and to contribute to the protection of the essential security interests of the Union and its Member States;	(e) to comply with the security requirements of the Programme's core infrastructure and to contribute to the protection of the essential security interests of the Union and its Member States;	(e) to comply with the security requirements of the Programme's core infrastructure and to contribute to the protection of the essential security interests of the Union and its Member States;
Article 17(2), point (f)			
226	(f) by way of derogation from Article 167 of the Financial Regulation, to use, wherever appropriate, multiple supply sources in order to ensure better overall	(f) by way of derogation from Article 167 of the Financial Regulation, to use, wherever appropriate, multiple supply sources in order to ensure better overall	(f) by way of derogation from Article 167 of the Financial Regulation, to use, wherever appropriate, multiple supply sources in order to ensure better overall

	control of all the Programme's components, their cost and schedule;	control of all the Programme's components, their cost and schedule;	control of all the Programme's components, their , its cost and schedule;
Article 17(2), point (g)			
227	(g) to promote service continuity and reliability;	(g) to promote service <u>accessibility</u> , continuity and reliability;	(g) to promote service continuity and reliability;
Article 17(2), point (h)			
228	(h) to satisfy environmental criteria;	(h) to satisfy environmental criteria <u>enhance the safety and sustainability of outer space activities, by implementing appropriate measures in accordance with the provisions set in paragraphs 1 and 2 of Article 6a</u> ;	(h) to satisfy environmental criteria;
Article 17(2), point (i)			
229	(i) to ensure the effective promotion of equal opportunities for all, and the implementation of gender mainstreaming, and of the gender dimension and shall aim to address the causes of gender imbalance. Particular attention shall be paid to ensure gender balance in evaluation panels.	(i) to ensure the effective promotion of equal opportunities for all, and the implementation of gender mainstreaming, and of the gender dimension and shall aim to address the causes of gender imbalance. Particular attention shall be paid to ensure gender balance in evaluation panels.	(i) to ensure the effective promotion of equal opportunities for all, and the implementation of gender mainstreaming, and of the gender dimension and shall aim to address the causes of gender imbalance. Particular attention shall be paid to ensure gender balance in evaluation panels.
Article 18			
230	Article 18	Article 18	Article 18

	Subcontracting	Subcontracting	Subcontracting
Article 18(1)			
231	1. To encourage new entrants, SMEs and start-ups and their cross-border participation, and to offer the widest possible geographical coverage while protecting the Union's autonomy, the contracting authority shall request that the tenderer subcontracts part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those affiliated with the tenderer's group.	1. To encourage new entrants, SMEs and start-ups <u>across the Union</u> and their cross-border participation, and to offer the widest possible geographical coverage while protecting the Union's <u>strategic</u> autonomy, the contracting authority shall request that the tenderer subcontracts part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those affiliated with the tenderer's group.	1. To encourage new entrants, SMEs and start-ups and their cross-border participation, and to offer the widest possible geographical coverage while protecting the Union's autonomy, the contracting authority shall request that the tenderer subcontracts part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those affiliated with which belong to the tenderer's group.
Article 18(1a)			
231a		<u><i>1a. For contracts above EUR 10 million, the contracting authority shall ensure that large portions and at least 30% of the value of the contract is subcontracted by competitive tendering at various levels of subcontracting to companies outside the group of the prime tenderer, particularly in order to enable the cross-border participation of SMEs in the space ecosystem.</i></u>	
Article 18(2)			
232			

	2. The tenderer shall justify any derogation from a request made under paragraph 1.	2. The tenderer shall justify any derogation from a request made under paragraph 1.	2. The tenderer shall justify any derogation from a request made under paragraph 1.
Article 18(3)			
232a		<u>2a. If the tenderer is not able to comply with request made under paragraph 1 or percentage referred to in paragraph 1a, it shall provide the contracting authority with the duly justified reasons why it is not able to do so. The contracting authority may allow the tenderer to derogate from the requirements to comply with the request. The contracting authority shall submit any requests for a derogation under this paragraph to the Commission and to the Programme committee.</u>	3. For contracts above EUR 10 million, the contracting authority shall ensure that at least 30 % of the value of the contract is subcontracted by competitive tendering at various levels of subcontracting to companies outside the group of the prime tenderer, particularly in order to enable the cross-border participation of SMEs. The Commission shall inform the Programme committee referred to in Article 42 on the fulfilment of that objective for contracts signed after the entry into force of this Regulation.
Article 19			
233	Article 19 Eligibility and participation conditions for the preservation of the security, integrity and resilience of operational systems of the Union	Article 19 Eligibility and participation conditions for the preservation of the security, integrity and resilience of operational systems of the Union	Article 19 Eligibility and participation conditions for the preservation of the security, integrity and resilience of operational systems of the Union
Article 19, first paragraph			
234	Eligibility and participation	Eligibility and participation	Eligibility and participation

	conditions shall apply to the award procedures carried out in the implementation of the Programme, where necessary and appropriate to preserve the security, integrity and resilience of the operational Union systems as set out in Article 24 of Regulation (EU) 2021/696, taking into account the objective to promote the Union's strategic autonomy, in particular in terms of technology across key technologies and value chains, while preserving an open economy.	conditions shall apply to the award procedures carried out in the implementation of the Programme, where necessary and appropriate to preserve the security, integrity and resilience of the operational Union systems as set out in Article 24 of Regulation (EU) 2021/696, taking into account the objective to promote the Union's strategic autonomy, in particular in terms of technology across key technologies and value chains, while preserving an open economy.	conditions shall apply to the award procedures carried out in the implementation of the Programme, where necessary and appropriate to preserve the security, integrity and resilience of the operational Union systems as set out in Article 24 of Regulation (EU) 2021/696, taking into account the objective to promote the Union's strategic autonomy, in particular in terms of technology across key technologies and value chains, while preserving an open economy.
Article 20			
235	Article 20 Protection of the financial interests of the Union	Article 20 Protection of the financial interests of the Union	Article 20 Protection of the financial interests of the Union
Article 20, first paragraph			
236	Where a third country participates in the Programme by means of a decision adopted pursuant to an international agreement or on the basis of any other legal instrument, the third country shall grant the necessary rights and access required for the authorising officer responsible, OLAF, the European Public Prosecutor's Office and the Court of Auditors to comprehensively exercise their	Where a third country participates in the Programme by means of a decision adopted pursuant to an international agreement or on the basis of any other legal instrument, the third country shall grant the necessary rights and access required for the authorising officer responsible, OLAF, the European Public Prosecutor's Office and the Court of Auditors to comprehensively exercise their	Where a third country participates in the Programme by means of a decision adopted pursuant to an international agreement or on the basis of any other legal instrument, the third country shall grant the necessary rights and access required for the authorising officer responsible, OLAF, the European Public Prosecutor's Office and the Court of Auditors to comprehensively exercise their

	respective competences. In the case of OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, as provided for in Regulation (EU, Euratom) No 883/2013.	respective competences. In the case of OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, as provided for in Regulation (EU, Euratom) No 883/2013.	respective competences. In the case of OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, as provided for in Regulation (EU, Euratom) No 883/2013.
Chapter V			
237	Chapter V Governance of the Programme	Chapter V Governance of the Programme	Chapter V Governance of the Programme
Article 21			
238	Article 21 Principles of governance	Article 21 Principles of governance	Article 21 Principles of governance
Article 21, first paragraph, introductory part			
239	The governance of the Programme shall be based on the following principles:	The governance of the Programme shall be based on the following principles:	The governance of the Programme shall be based on the following principles:
Article 21, first paragraph, point (a)			
240	(a) clear distribution of tasks and responsibilities between the entities involved in the implementation of the Programme	(a) clear distribution of tasks and responsibilities between the entities involved in the implementation of the Programme	(a) clear distribution of tasks and responsibilities between the entities involved in the implementation of the Programme
Article 21, first paragraph, point (b)			
241			

	(b) relevance of the governance structure to the specific needs of the Programme and measures, as appropriate;	(b) relevance of the governance structure to the specific needs of the Programme and measures, as appropriate;	(b) relevance of the governance structure to the specific needs of the Programme and measures, as appropriate;
Article 21, first paragraph, point (c)			
242	(c) strong control of the Programme, including strict adherence to cost, schedule and performance by all the entities, within their respective roles and tasks in accordance with this Regulation;	(c) strong control of the Programme, including strict adherence to cost, schedule and performance by all the entities, within their respective roles and tasks in accordance with this Regulation;	(c) strong control of the Programme, including strict adherence to cost, schedule and performance by all the entities, within their respective roles and tasks in accordance with this Regulation;
Article 21, first paragraph, point (d)			
243	(d) transparent and cost-efficient management;	(d) transparent and cost-efficient management;	(d) transparent and cost-efficient management;
Article 21, first paragraph, point (e)			
244	(e) service continuity and necessary infrastructure continuity, including protection from relevant threats;	(e) service continuity and necessary infrastructure continuity, including <u>security monitoring and management, and</u> protection from relevant threats;	(e) service continuity and necessary infrastructure continuity, including security monitoring and management and protection from relevant threats;
Article 21, first paragraph, point (f)			
245	(f) systematic and structured consideration of the needs of users of the data, information and services provided by the Programme, as well as of related scientific and	(f) systematic and structured consideration of the needs of users of the data, information and services provided by the Programme, as well as of related scientific and	(f) systematic and structured consideration of the needs of users of the data, information and services provided by the Programme, as well as of related scientific and

	technological evolutions;	technological evolutions;	technological evolutions;
Article 21, first paragraph, point (g)			
246	(g) constant efforts to control and mitigate risks.	(g) constant efforts to control and mitigate risks.	(g) constant efforts to control and mitigate risks.
Article 22			
247	Article 22 Role of the Member States	Article 22 Role of the Member States	Article 22 Role of the Member States
Article 22(1)			
248	1. Member States shall contribute with their technical competence, know-how and assistance, in particular in the field of safety and security, or, where appropriate and possible, by making available to the Union the data, information, services and infrastructure in their possession or located on their territory.	1. Member States shall contribute with their technical competence, know-how and assistance, in particular in the field of safety and security, or, where appropriate and possible, by making available to the Union the data, information, services and infrastructure in their possession or located on their territory.	1. Member States shall may contribute additionally with their technical competence, know-how and assistance, in particular in the field of safety and security, or, where appropriate and possible, by making available to the Union Programme the data, information, services and infrastructure in their possession or located on their territory.
Article 22(2)			
249	2. Where relevant, the Member States shall ensure coherence and complementarity of their recovery and resilience plans under Regulation (EU) 2021/241 of the European Parliament and of the Council ¹ and the Programme.	2. Where relevant, the Member States shall ensure coherence and complementarity of their recovery and resilience plans under Regulation (EU) 2021/241 of the European Parliament and of the Council ¹ and the Programme.	2. Where relevant possible , the Member States shall aim to ensure coherence interoperability and complementarity of the relevant activities under their recovery and resilience plans under Regulation (EU) 2021/241 of the European

	1. Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).	1. Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).	Parliament and of the Council ¹ and with the Programme. 1. Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).
Article 22(3)			
250	3. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme, including by helping to secure and protect, at the appropriate level, the frequencies required for the Programme.	3. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme, including by helping to secure and protect, at the appropriate level, the frequencies required for the Programme.	3. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme, including by helping to secure and protect, at the appropriate level, the frequencies required for the Programme.
Article 22(3a)			
250a			3a. The Member States may help to secure and protect, at the appropriate level, the frequencies required for the Programme.
Article 22(4)			
251	4. The Member States and the Commission may cooperate to widen the uptake of services provided by the Programme.	4. The Member States and the Commission may cooperate to widen the uptake of services provided by the Programme.	4. The Member States and the Commission may cooperate to widen the uptake of governmental services provided by the Programme.
Article 22(5)			
252			

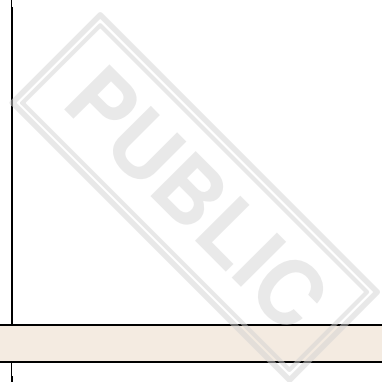
	5. In the field of security, the Member States shall perform the tasks referred to in Article 42 of Regulation (EU) 2021/696.	5. In the field of security, the Member States shall perform the tasks referred to in Article 42 of Regulation (EU) 2021/696.	5. In the field of security, the Member States shall perform the tasks referred to in Article 42 of Regulation (EU) 2021/696.
Article 22(6)			
253	6. The Member States shall provide their operational needs for the governmental services.	6. The Member States shall provide their operational needs for the governmental services.	6. The Member States shall provide their operational needs for in order to consolidate and refine the capacity and the specifications of the governmental services as well as advise the Commission on any matter in their field of competence, in particular by providing input for the preparation of the implementing acts.
Article 22(7)			
253a			7. The Commission may entrust, by means of contribution agreements, specific tasks to Member State organisations, where such organisations have been designated by the Member State concerned. The Commission shall adopt the contribution decisions regarding the contribution agreements by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 42(1a).

Article 23			
254	Article 23 Role of the Commission	Article 23 Role of the Commission	Article 23 Role of the Commission
Article 23(1)			
255	1. The Commission shall have overall responsibility for the implementation of the Programme, including in the field of security, without prejudice to Member States' prerogatives in the area of national security. The Commission shall, in accordance with this Regulation, determine the priorities and evolution of the Programme, in line with the user requirements, and shall supervise its implementation, without prejudice to other policies of the Union.	1. The Commission shall have overall responsibility for the implementation of the Programme, including in the field of security, without prejudice to Member States' prerogatives in the area of national security. The Commission shall, in accordance with this Regulation, determine the priorities and evolution of the Programme, in line with the user requirements, and shall supervise its implementation, without prejudice to other policies of the Union.	1. The Commission shall have overall responsibility for the implementation of the Programme, including in the field of security, without prejudice to Member States' prerogatives in the area of national security. The Commission shall, in accordance with this Regulation, determine the priorities and evolution of the Programme, in line with the duly established user requirements, and shall supervise its implementation, without prejudice to other policies of the Union.
Article 23(2)			
256	2. The Commission shall ensure a clear division of tasks and responsibilities between the various entities involved in the Programme and shall coordinate the activities of those entities. The Commission shall also ensure that all the entrusted entities involved in the implementation of the Programme protect the interests of the Union, guarantee the sound management of	2. The Commission shall ensure a clear division of tasks and responsibilities between the various entities involved in the Programme and shall coordinate the activities of those entities. The Commission shall also ensure that all the entrusted entities involved in the implementation of the Programme protect the interests of the Union, guarantee the sound management of	2. The Commission shall ensure a clear division of tasks and responsibilities between the various entities involved in the Programme and shall coordinate the activities of those entities. The Commission shall also ensure that all the entrusted entities involved in the implementation of the Programme protect the interests of the Union, guarantee the sound management of

	the Union's funds and comply with the Financial Regulation and this Regulation.	the Union's funds and comply with the Financial Regulation and this Regulation.	the Union's funds and comply with the Financial Regulation and this Regulation.
Article 23(3)			
257	3. The Commission shall procure, award and sign the contracts referred to in Article 15 in compliance with the Financial Regulation.	3. The Commission shall procure, award and sign the contracts referred to in Article 15 in compliance with the Financial Regulation.	3. The Commission shall procure, award and sign the contracts referred to in Article 15 in compliance with the Financial Regulation.
Article 23(4)			
258	4. The Commission may entrust tasks concerning the Programme to the Agency and ESA under indirect management, in compliance with their respective roles and responsibilities as set out under Articles 24 and 25. In order to facilitate the achievement of the objectives under Article 3 and promote the most efficient cooperation between the three entities, the Commission may establish contribution agreements with each entity.	4. The Commission may entrust tasks concerning the Programme to the Agency and ESA under indirect management, in compliance with their respective roles and responsibilities as set out under Articles 24 and 25. In order to facilitate the achievement of the objectives under Article 3 and promote the most efficient cooperation between the three entities, the Commission may establish contribution agreements with each entity.	4. The Commission may entrust tasks concerning the Programme to the Agency and ESA under indirect management, in compliance with their respective roles and responsibilities as set out under Articles 24 and 25. In order to facilitate the achievement of the objectives under Article 3 and promote the most efficient cooperation between the three entities, the Commission may establish contribution agreements with each entity. The Commission shall adopt the contribution decisions regarding the contribution agreements by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 42(1a).

Article 23(5)			
259	5. Without prejudice to the tasks of the contractor referred to in Article 15(2), the Agency or other entrusted entities, the Commission shall ensure that the uptake and use of the services provided by the Programme is promoted and maximised. It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.	5. Without prejudice to the tasks of the contractor referred to in Article 15(2), the Agency or other entrusted entities, the Commission shall ensure that the uptake and use of the services provided by the Programme is promoted and maximised. It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.	5. Without prejudice to the tasks of the contractor contractors referred to in Article 15(2) 15 , the Agency or other entrusted entities, the Commission shall ensure that the uptake and use of the services provided by the Programme is promoted and maximised governmental services . It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.
Article 23(6)			
260	6. Where appropriate, the Commission shall ensure the coherence of activities performed in the context of the Programme with activities carried out in the space domain at Union, national or international level. It shall encourage cooperation between the Member States and, where relevant to the Programme, facilitate convergence of their technological capacities and developments in the space domain.	6. Where appropriate, the Commission shall ensure the coherence of activities performed in the context of the Programme with activities carried out in the space domain at Union, national or international level. It shall encourage cooperation between the Member States and, where relevant to the Programme, facilitate convergence <u>and interoperability</u> of their technological capacities and developments in the space domain.	6. Where appropriate, the Commission shall ensure the coherence of activities performed in the context of the Programme with the activities already being carried out in the space domain at Union, national or international level. It shall encourage cooperation between the Member States facilitate interoperability of their technological capacities and developments in the space domain, and, where relevant to the Programme, facilitate convergence of their technological capacities and developments in the space domain shall aim to ensure interoperability of the secure

			connectivity system with the relevant activities developed under the national recovery and resilience plans. Corrected typo compared to Mandate 10854/22 (activities)
Article 23(7)			
261	7. The Commission shall inform the Programme committee referred to in Article 42(1) of the interim and final results of the evaluation of any procurement procedures and of any contracts, including subcontracts, with public and private entities.	7. The Commission shall inform the Programme committee referred to in Article 42(1) of the interim and final results of the evaluation of any procurement procedures and of any contracts, including subcontracts, with public and private entities.	7. The Commission shall inform the Programme committee referred to in Article 42(1) of the interim and final results of the evaluation of any procurement procedures and of any contracts, including subcontracts, with public and private entities.
Article 24			
262	Article 24 Role of the Agency	Article 24 Role of the Agency	Article 24 Role of the Agency
Article 24(1)			
263	1. The own task of the Agency shall be to ensure, through its Security Accreditation Board, the security accreditation of the governmental infrastructure and governmental services in accordance with Chapter II of Title V of Regulation (EU) 2021/696.	1. The own task of the Agency shall be to ensure, through its Security Accreditation Board, the security accreditation of the governmental infrastructure and governmental services in accordance with Chapter II of Title V of Regulation (EU) 2021/696.	1. The own task of the Agency shall be to ensure, through its Security Accreditation Board, the security accreditation of the governmental infrastructure and governmental services in accordance with Chapter II of Title V of Regulation (EU) 2021/696.
Article 24(1), point (a)			



263a		<u>(a) to ensure, through its Security Accreditation Board, the security accreditation of the governmental infrastructure and governmental services in accordance with Chapter II of Title V of Regulation (EU) 2021/696;</u>	
Article 24(1), point (b)			
263b		<u>(b) to ensure the operational security of the governmental infrastructure, including cybersecurity, risk and threat analysis; security monitoring, in particular setting technical specifications and operational procedures and monitoring their compliance with the general security requirements referred to in Article 27(2).</u>	
Article 24(1a), introductory part			
263c			1a. The Commission shall entrust, by means of one or more contribution agreements, the following tasks to the Agency:
Article 24(1a), point (a)			
263d			(a) operational security of the governmental infrastructure, including risk and threat analysis,

			security monitoring, in particular setting technical specifications and operational procedures, and monitoring their compliance with the general security requirements referred to in Article 27(2);
Article 24(1a), point (b)			
263e			(b) provision of the governmental services to the governmental users, in particular through the GOVSATCOM Hubs;
Article 24(1a), point (c)			
263f			(c) overarching coordination of user-related aspects of the governmental services in close collaboration with Member States, relevant Union agencies, EEAS and other entities;
Article 24(1a), point (d)			
263g			(d) undertaking activities related to user uptake of governmental services offered by the Programme without affecting the activities performed by the contractors under contracts referred to in Article 15.
Article 24(2), introductory part			

264	2. The Commission may entrust, by means of one or more contribution agreements, the following tasks to the Agency:	2. The Commission may <u>shall</u> entrust, by means of one or more contribution agreements, the following tasks to the Agency:	2. The Commission may entrust, by means of one or more contribution agreements, the following tasks to the Agency:
Article 24(2), point (a)			
265	(a) operation of the governmental infrastructure of the Programme;	(a) <u>management of the</u> operation of the governmental infrastructure of the Programme;	(a) operation all or part of the operational management of the governmental infrastructure of the Programme;
Article 24(2), point (b)			
266	(b) operational security of the governmental infrastructure, including risk and threat analysis, security monitoring, in particular setting technical specifications and operational procedures, and monitoring their compliance with the general security requirements referred to in Article 27(2).	(b) operational security of the governmental infrastructure, including risk and threat analysis, security monitoring, in particular setting technical specifications and operational procedures, and monitoring their compliance with the general security requirements referred to in Article 27(2).	<i>deleted</i>
Article 24(2), point (c)			
267	(c) provision of the governmental services;	(c) provision of the governmental services, <u>in particular through the GOVSATCOM Hub</u> ;	<i>deleted</i>
Article 24(2), point (d)			
268	(d) management of contracts	(d) management of contracts referred	(d) management of contracts referred

	referred to in Article 15, after their award and signature;	to in Article 15, after their award and signature;	to in Article 15, after their award and signature;
Article 24(2), point (e)			
269	(e) overarching coordination of user-related aspects of the governmental services in close collaboration with Member States, relevant Union agencies, EEAS and other entities;	(e) overarching coordination of user-related aspects of the governmental services in close collaboration with Member States, relevant Union agencies, EEAS and other entities;	<i>deleted</i>
Article 24(2), point (f)			
270	(f) undertaking activities related to user uptake of services offered by the Programme without affecting the activities performed by the contractor referred to in Article 15(2) under contracts referred to in Article 15.	(f) undertaking activities related to user uptake of services offered by the Programme without affecting the activities performed by the contractor referred to in Article 15(2) under contracts referred to in Article 15.	<i>deleted</i>
Article 24(2), point (g)			
270a			(g) other tasks based on the needs of the Programme.
Article 24(2a)			
270b		<u>2a. The Commission may entrust, by means of one or more contribution agreements, other tasks to the Agency, provided that they aim to improve the efficiency of the</u>	

		<u>implementation of the Programme's activities.</u>	
Article 24(3)			
271	3. By way of derogation from Article 62(1) of the Financial Regulation and subject to the Commission's assessment of the protection of the Union's interests, the Agency may entrust, by means of contribution agreements, specific activities to other entities, in areas of their respective competence, under the conditions of indirect management applying to the Commission.	3. By way of derogation from Article 62(1) of the Financial Regulation and subject to the Commission's assessment of the protection of the Union's interests, the Agency may entrust, by means of contribution agreements, specific activities to other entities, in areas of their respective competence, under the conditions of indirect management applying to the Commission.	3. By way of derogation from Article 62(1) of the Financial Regulation and subject to the Commission's assessment of the protection of the Union's interests, the Agency may entrust, by means of contribution agreements, specific activities to other entities, in areas of their respective competence, under the conditions of indirect management applying to the Commission.
Article 24(4)			
272	4. Where activities are entrusted to the Agency, appropriate financial, human and administrative resources shall be ensured for their implementation. For this purpose, the Commission may allocate part of the budget for the activities entrusted to the Agency for the funding of human resources necessary for their implementation.	4. Where activities are entrusted to the Agency, <u>either as own tasks as referred to in paragraph 1 or as delegated tasks as referred to in paragraphs 2 and 2a,</u> appropriate financial, human and administrative resources shall be ensured for their implementation. For this purpose, the Commission may <u>shall</u> allocate part of the budget for the activities entrusted to the Agency for the funding of human resources necessary for their implementation. <u>In order to enable the Agency to carry out its tasks and missions, its</u>	4. Where activities are entrusted to the Agency, appropriate financial, human and administrative resources shall be ensured for their implementation. For this purpose, the Commission may allocate part of the budget for the activities entrusted to the Agency for the funding of human resources necessary for their implementation.

		<u>resources shall be re-evaluated on an ongoing basis.</u>	
Article 25			
273	Article 25 Role of ESA	Article 25 Role of ESA	Article 25 Role of ESA
Article 25(1), introductory part			
274	1. Provided that the interest of the Union is protected, ESA may, within the field of its expertise, be entrusted with the following tasks:	1. Provided that the interest of the Union is protected, ESA may, within the field of its expertise, be entrusted with the following tasks:	1. Provided that the interest of the Union is protected, ESA may, within the field of its expertise, shall be entrusted with the following tasks:
Article 25(1), point (a)			
275	(a) the supervision of the development and validation activities referred to in Article 4(1), point (a), undertaken within the framework of contracts referred to in Article 15, ensuring coordination between the tasks and budget entrusted to ESA under the present article and possible ESA's own resources made available to the Programme or the contractor referred to in Article 15(2) according to terms and conditions to be agreed in the contribution agreements referred to in Article 23(4);	(a) the supervision of the development, <u>validation and the related deployment</u> and validation activities referred to in Article 4(1), point (a), <u>and of the development and evolution referred to in point Article 4(1), point (e)</u> , undertaken within the framework of contracts referred to in Article 15, ensuring coordination between the tasks and budget entrusted to ESA under the present article and possible ESA's own resources made available to the Programme or the contractor referred to in Article 15(2) according to terms and conditions to be agreed in the contribution agreements referred to in Article 23(4);	(a) the supervision of the development, of the validation and of the related deployment and validation activities referred to in Article 4(1), point (a), undertaken within the framework of contracts and of the development and evolution referred to in Article 15, ensuring coordination between the tasks and budget entrusted to ESA under the present 4(1), point (e), undertaken within the framework of contracts referred to in Article and possible ESA's own resources made available to the Programme or the contractor 15 according to terms and conditions to be agreed in the contribution agreements referred to

			in Article 15(2) according to terms and conditions to be agreed in the contribution agreements 23(4), ensuring coordination between the tasks and budget entrusted to ESA under this Article and possible ESA's contribution referred to in Article 23(4) 13a ;
Article 25(1), point (b)			
276	(b) the provision of technical expertise to the Commission; including for the preparation of the technical aspects of the Programme;	(b) the provision of technical expertise to the Commission; including for the preparation of the technical aspects of the Programme;	(b) the provision of technical its expertise to the Commission; including for the preparation of specifications and implementation of the technical aspects of the Programme;
Article 25(1), point (c)			
277	(c) the support to the evaluation of contracts under Article 15.	(c) the support to the evaluation of contracts under Article 15.	(c) the support to the evaluation of contracts concluded under Article 15-;
Article 25(1), point (d)			
277a			(d) tasks related to the space and related ground segment of the EuroQCI referred to in Article 4(1), point (ca).
Article 25(2)			
278	2. On the basis of an assessment by	2. On the basis of an assessment by	2. On the basis of an assessment by

	the Commission, ESA may be entrusted with other tasks based on the needs of the Programme, in particular related to space and related ground segment of the European Quantum Communication Infrastructure, provided that those tasks do not duplicate activities performed by another entity in the context of the Programme and that they aim to improve the efficiency of the implementation of the Programme's activities.	the Commission, ESA may be entrusted with other tasks based on the needs of the Programme, in particular related to space and related ground segment of the European Quantum Communication Infrastructure, provided that those tasks do not duplicate activities performed by another entity in the context of the Programme and that they aim to improve the efficiency of the implementation of the Programme's activities.	the Commission, ESA may be entrusted with other tasks based on the needs of the Programme, in particular related to space and related ground segment of the European Quantum Communication Infrastructure, provided that those tasks do not duplicate activities performed by another entity in the context of the Programme and that they aim to improve the efficiency of the implementation of the Programme's activities.
Chapter VI			
279	Chapter VI Security of the Programme	Chapter VI Security of the Programme	Chapter VI Security of the Programme
Article 26			
280	Article 26 General principles of security	Article 26 General principles of security	Article 26 General principles of security
Article 26, first paragraph			
281	Article 33 of Regulation (EU) 2021/696 shall apply to this Programme.	Article 33 of Regulation (EU) 2021/696 shall apply to this Programme.	Article 33 of Regulation (EU) 2021/696 shall apply to this Programme.
Article 27			
282	Article 27 Governance of security	Article 27 Governance of security	Article 27 Governance of security

Article 27(1), introductory part			
283	1. The Commission shall, in its field of competence and with the support of the Agency, ensure a high degree of security with regard, in particular, to:	1. The Commission shall, in its field of competence and with the support of the Agency, ensure a high degree of security with regard, in particular, to:	1. The Commission shall, in its field of competence and with the support of the Agency, ensure a high degree of security with regard, in particular, to:
Article 27(1), point (a)			
284	(a) the protection of infrastructure, both ground and space, and of the provision of services, particularly against physical or cyber-attacks, including interference with data streams;	(a) the protection of infrastructure, both ground and space, and of the provision of services, particularly against physical or cyber-attacks, including interference with data streams;	(a) the protection of infrastructure, both ground and space, and of the provision of services, particularly against physical or cyber-attacks, including interference with data streams;
Article 27(1), point (b)			
285	(b) the control and management of technology transfers;	(b) the control and management of technology transfers;	(b) the control and management of technology transfers;
Article 27(1), point (c)			
286	(c) the development and preservation within the Union of the competences and know-how acquired;	(c) the development and preservation within the Union of the competences and know-how acquired;	(c) the development and preservation within the Union of the competences and know-how acquired;
Article 27(1), point (d)			
287	(d) the protection of sensitive non-	(d) the protection of sensitive non-	(d) the protection of sensitive non-

	classified information and classified information.	classified information and classified information.	classified information and classified information.
Article 27(1a)			
287a			1a. The Commission shall consult the Council and the Member States regarding the specification and design of any aspect of the EuroQCI infrastructure, in particular the QKD that relates to the protection of EUCI.
Article 27(1a), second subparagraph			
287b			Evaluation and approval of cryptographic products for protecting EUCI shall be carried out while respecting the role and competence of the Council and Member States.
Article 27(1a), third subparagraph			
287c			The Security Accreditation Authority shall verify within the security accreditation process that only approved cryptographic products are used.
Article 27(2)			
288	2. For the purposes of paragraph 1 of this Article, the Commission shall	2. For the purposes of paragraph 1 of this Article, the Commission shall	2. For the purposes of paragraph 1 of this Article, the Commission shall

	ensure that a risk and threat analysis is performed for the governmental infrastructure referred to in Article 5(2). Based on that analysis it shall determine, by means of implementing acts the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of the governmental infrastructure, in particular in terms of cost, risk management and schedule, and shall ensure that the general level of security is not reduced, the functioning of the equipment is not undermined and the cybersecurity risks are take into account. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	ensure that a risk and threat analysis is performed for the governmental infrastructure referred to in Article 5(2). Based on that analysis it shall determine, by means of implementing acts the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of the governmental infrastructure, in particular in terms of cost, risk management and schedule, and shall ensure that the general level of security is not reduced, the functioning of the equipment is not undermined and the cybersecurity risks are take into account. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	ensure that a risk and threat analysis is performed for the governmental infrastructure referred to in Article 5(2). Based on that analysis it shall determine, by means of implementing acts the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of the governmental infrastructure, in particular in terms of cost, risk management and schedule, and shall ensure that the general level of security is not reduced, the functioning of the equipment is not undermined and the cybersecurity risks are take into account. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).
Article 27(3)			
289	3. Article 34(3) to (7) of Regulation (EU) 2021/696 shall apply to this Programme. For the purposes of this Regulation, the term ‘component’ in Article 34 of Regulation (EU) 2021/696 shall be read as ‘governmental infrastructure’ and all the references to Article 34(2) of Regulation (EU) 2021/696 shall be construed as references to paragraph 2 of this Article.	3. Article 34(3) to (7) of Regulation (EU) 2021/696 shall apply to this Programme. For the purposes of this Regulation, the term ‘component’ in Article 34 of Regulation (EU) 2021/696 shall be read as ‘governmental infrastructure’, <u>including governmental services as referred to in Article 7(1a), (1b) and (1c) of this Regulation</u> , and all the references to Article 34(2) of	3. Article 34(3) to (7) of Regulation (EU) 2021/696 shall apply to this Programme. For the purposes of this Regulation, the term ‘component’ in Article 34 of Regulation (EU) 2021/696 shall be read as ‘governmental infrastructure’ and all the references to Article 34(2) of Regulation (EU) 2021/696 shall be construed as references to paragraph 2 of this Article.

		Regulation (EU) 2021/696 shall be construed as references to paragraph 2 of this Article.	
Article 28			
290	Article 28 Security of the system and services deployed	Article 28 Security of the system and services deployed	Article 28 Security of the system and services deployed
Article 28, first paragraph			
291	Whenever the security of the Union or its Member States may be affected by the operation of the system or the provision of the governmental services, Decision (CFSP) XXX shall apply.	Whenever the security of the Union or its Member States may be affected by the operation of the system or the provision of the governmental services, Decision (CFSP) XXX shall apply.	Whenever the security of the Union or its Member States may be affected by the operation of the system or the provision of the governmental services, Decision (CFSP) XXX 2021/698 shall apply.
Article 29			
292	Article 29 Security Accreditation Authority	Article 29 Security Accreditation Authority	Article 29 Security Accreditation Authority
Article 29, first paragraph			
293	The Security Accreditation Board established within the Agency under Article 72(1) of Regulation (EU) 2021/696 shall be the security accreditation authority for the governmental infrastructure of the Programme.	The Security Accreditation Board established within the Agency under Article 72(1) of Regulation (EU) 2021/696 shall be the security accreditation authority for the governmental infrastructure of the Programme.	The Security Accreditation Board established within the Agency under Article 72(1) of Regulation (EU) 2021/696 shall be the security accreditation authority for the governmental infrastructure and related governmental services of the Programme.

Article 30			
294	Article 30 General principles of security accreditation	Article 30 General principles of security accreditation	Article 30 General principles of security accreditation
Article 30, first paragraph			
295	Security accreditation activities related to the Programme shall be conducted in accordance with the principles laid down in Article 37, points (a) to (j), of Regulation (EU) 2021/696. For the purposes of this Regulation, the term ‘component’ in Article 37 of Regulation (EU) 2021/696 shall be read as ‘governmental infrastructure’ and all the references to Article 34(2) of Regulation (EU) 2021/696 shall be construed as references to Article 27(2) of this Regulation.	Security accreditation activities related to the Programme shall be conducted in accordance with the principles laid down in Article 37, points (a) to (j), of Regulation (EU) 2021/696. For the purposes of this Regulation, the term ‘component’ in Article 37 of Regulation (EU) 2021/696 shall be read as ‘governmental infrastructure’ and all the references to Article 34(2) of Regulation (EU) 2021/696 shall be construed as references to Article 27(2) of this Regulation.	Security accreditation activities related to the Programme shall be conducted in accordance with the principles laid down in Article 37, points (a) to (j), of Regulation (EU) 2021/696. For the purposes of this Regulation, the term ‘component’ in Article 37 of Regulation (EU) 2021/696 shall be read as ‘governmental infrastructure’ and all the references to Article 34(2) of Regulation (EU) 2021/696 shall be construed as references to Article 27(2) of this Regulation.
Article 31			
296	Article 31 Tasks and composition of the Security Accreditation Board	Article 31 Tasks and composition of the Security Accreditation Board	Article 31 Tasks and composition of the Security Accreditation Board
Article 31(1)			
297	1. Article 38, with the exception of points (c) to (f) of paragraph 2 and	1. Article 38, with the exception of points (c) to (f) of paragraph 2 and	1. Article 38, with the exception of points (c) to (f) of paragraph 2 and

	point (b) of paragraph 3, and Article 39 of Regulation (EU) 2021/696 shall apply to this Programme.	point (b) of paragraph 3, and Article 39 of Regulation (EU) 2021/696 shall apply to this Programme.	point (b) of paragraph 3, and Article 39 of Regulation (EU) 2021/696 shall apply to this Programme.
Article 31(1a), introductory part			
297a			1a. In addition to paragraph 1, the Security Accreditation Board shall also have the following tasks:
Article 31(1a), point (a)			
297b			(a) examining and, except as regards documents which the Commission is to adopt under Article 27(2) of this Regulation, approving all documentation relating to security accreditation;
Article 31(1a), point (b)			
297c			(b) advising, within its field of competence, the Commission on the production of draft texts for acts referred to in Article 27(2) of this Regulation, including for the establishment of security operating procedures, and providing a statement with its concluding position;
Article 31(1a), point (c)			
297d			(c) examining and approving the

			security risk assessment drawn up in accordance with the monitoring process referred to in point (h) of Article 37 of Regulation (EU) 2021/696 and those drawn up in accordance with Article 27(2) of this Regulation, and cooperating with the Commission to define risk mitigation measures.
Article 31(2)			
298	2. In addition to paragraph 1 and on an exceptional basis, representatives of the contractor referred to in Article 15(2) of this Regulation may be invited to attend the meetings of the Security Accreditation Board as observers for matters directly relating to that contractor.	2. In addition to paragraph 1 and on an exceptional basis, representatives of the contractor referred to in Article 15(2) of this Regulation may be invited to attend the meetings of the Security Accreditation Board as observers for matters directly relating to that contractor.	2. In addition to paragraph 1 and on an exceptional basis, only representatives of the contractor referred to in Article 15(2) of this Regulation involved in governmental infrastructure and services may be invited to attend the meetings of the Security Accreditation Board as observers for matters directly relating to that contractor. Modalities and conditions for such participation of a contractor shall be laid down in the rules of procedure of the Security Accreditation Board.
Article 32			
299	Article 32 Voting rules of the Security Accreditation Board	Article 32 Voting rules of the Security Accreditation Board	Article 32 Voting rules of the Security Accreditation Board
Article 32, first paragraph			

300	Article 40 of Regulation (EU) 2021/696 shall apply with regard to the voting rules of the Security Accreditation Board.	Article 40 of Regulation (EU) 2021/696 shall apply with regard to the voting rules of the Security Accreditation Board.	Article 40 of Regulation (EU) 2021/696 shall apply with regard to the voting rules of the Security Accreditation Board.
Article 33			
301	Article 33 Communication and impact of decisions of the Security Accreditation Board	Article 33 Communication and impact of decisions of the Security Accreditation Board	Article 33 Communication and impact of decisions of the Security Accreditation Board
Article 33(1)			
302	1. Article 41(1) to (4) of Regulation (EU) 2021/696 shall apply to the decisions of the Security Accreditation Board. For the purposes of this Regulation, the term 'component' in Article 41 of Regulation (EU) 2021/696 shall be read as 'governmental infrastructure'.	1. Article 41(1) to (4) of Regulation (EU) 2021/696 shall apply to the decisions of the Security Accreditation Board. For the purposes of this Regulation, the term 'component' in Article 41 of Regulation (EU) 2021/696 shall be read as 'governmental infrastructure'.	1. Article 41(1) to (4) of Regulation (EU) 2021/696 shall apply to the decisions of the Security Accreditation Board. For the purposes of this Regulation, the term 'component' in Article 41 of Regulation (EU) 2021/696 shall be read as 'governmental infrastructure'.
Article 33(2)			
303	2. The timetable for the work of the Security Accreditation Board shall not hamper the timetable of activities provided in the work programme referred to in Article 37(1).	2. The timetable for the work of the Security Accreditation Board shall not hamper the timetable of activities provided in the work programme referred to in Article 37(1) <u>38(1)</u> .	2. The timetable for the work of the Security Accreditation Board shall not hamper the timetable of activities provided in the work programme referred to in Article 37(1) <u>38(1)</u> .
Article 34			

304	Article 34 Role of the Member States in security accreditation	Article 34 Role of the Member States in security accreditation	Article 34 Role of the Member States in security accreditation
Article 34, first paragraph			
305	Article 42 of Regulation (EU) 2021/696 shall apply to this Programme.	Article 42 of Regulation (EU) 2021/696 shall apply to this Programme.	Article 42 of Regulation (EU) 2021/696 shall apply to this Programme.
Article 35			
306	Article 35 Protection of classified information	Article 35 Protection of classified information	Article 35 Protection of classified information
Article 35(1)			
307	1. Article 43 of Regulation (EU) 2021/696 shall apply to classified information related to the Programme.	1. Article 43 of Regulation (EU) 2021/696 shall apply to classified information related to the Programme.	1. Article 43 of Regulation (EU) 2021/696 shall apply to classified information related to the Programme.
Article 35(2)			
308	2. Classified information generated by ESA in relation with the tasks entrusted under Article 25(1) and (2) shall be considered as EU Classified Information in accordance with Commission Decision (EU, Euratom) 2015/444 ¹ and Council Decision 2013/488/EU ² , created under the authority of the	2. Classified information generated by ESA in relation with the tasks entrusted under Article 25(1) and (2) shall be considered as EU Classified Information in accordance with Commission Decision (EU, Euratom) 2015/444 ¹ and Council Decision 2013/488/EU ² , created under the authority of the Commission.	2. Classified information generated by ESA in relation with the tasks entrusted under Article 25(1) and (2) shall be considered as EU Subject to the provisions of the agreement on the security and exchange of classified information in accordance with Commission Decision (EU, Euratom) 2015/444¹ and Council

	<p>Commission.</p> <p>1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).</p> <p>2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information, (OJ L 274, 15.10.2013, p. 1).</p>	<p>1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).</p> <p>2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information, (OJ L 274, 15.10.2013, p. 1).</p>	<p>Decision 2013/488/EU², created under the authority of the Commissionbetween the EU and ESA, ESA may generate EUCI in relation with the tasks entrusted under Article 25(1) and (2).</p> <p>1. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).</p> <p>2. Council Decision of 23 September 2013 on the security rules for protecting EU classified information, (OJ L 274, 15.10.2013, p. 1).</p>
Chapter VII			
309	Chapter VII International relations	Chapter VII International relations	Chapter VII International relations
Article 36			
310	Article 36 Participation of third countries and international organisations in the Programme	Article 36 Participation of third countries and international organisations in the Programme	Article 36 Participation of third countries and international organisations in the Programme
Article 36(1), introductory part			
311	1. In accordance with the conditions laid down in a specific agreement concluded in accordance with Article 218 TFEU covering the participation of a third country to any Union programme, the Programme shall be open to the participation of members	1. In accordance with the conditions laid down in a specific agreement concluded in accordance with Article 218 TFEU covering the participation of a third country to any Union programme, the Programme shall be open to the participation of members	1. In accordance with the conditions laid down in a specific agreement concluded in accordance with Article 218 TFEU covering the participation of a third country to any Union programme, the Programme shall be open to the participation of members

	of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), as well as of the following third countries:	of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), as well as of the following third countries:	of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), as well as of the following third countries:
Article 36(1), point (a)			
312	(a) acceding countries, candidate countries and potential candidates, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions or in similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;	(a) acceding countries, candidate countries and potential candidates, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions or in similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;	(a) acceding countries, candidate countries and potential candidates, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions or in similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;
Article 36(1), point (b)			
313	(b) European Neighbourhood Policy countries, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions or in similar agreements, and in accordance with the specific	(b) European Neighbourhood Policy countries, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions or in similar agreements, and in accordance with the specific	(b) European Neighbourhood Policy countries, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions or in similar agreements, and in accordance with the specific

	conditions laid down in agreements between the Union and those countries;	conditions laid down in agreements between the Union and those countries;	conditions laid down in agreements between the Union and those countries;
Article 36(1), point (c)			
314	(c) third countries, other than those third countries covered in points (a) and (b).	(c) third countries, other than those third countries covered in points (a) and (b).	(c) third countries, other than those third countries covered in points (a) and (b).
Article 36(2)			
315	2. The Programme shall be open to the participation of international organisations in accordance with agreements concluded in accordance with Article 218 TFEU.	2. The Programme shall be open to the participation of international organisations in accordance with agreements concluded in accordance with Article 218 TFEU.	2. The Programme shall be open to the participation of an international organisations organisation in accordance with agreements a specific agreement concluded in accordance with Article 218 TFEU.
Article 36(3), introductory part			
316	3. The specific agreement referred to in paragraphs 1 and 2 shall:	3. The specific agreement referred to in paragraphs 1 and 2 shall:	3. The specific agreement referred to in paragraphs 1 and 2 shall:
Article 36(3), point (a)			
317	(a) ensure a fair balance as regards the contributions and benefits of the third country or international organisation participating in the Union programmes;	(a) ensure a fair balance as regards the contributions and benefits of the third country or international organisation participating in the Union programmes;	(a) ensure a fair balance as regards the contributions and benefits of the third country or international organisation participating in the Union programmes;
Article 36(3), point (b)			

318	(b) lay down the conditions of participation in the programmes, including the calculation of financial contributions to individual programmes, and their administrative costs;	(b) lay down the conditions of participation in the programmes, including the calculation of financial contributions to individual programmes, and their administrative costs;	(b) lay down the conditions of participation in the programmes, including the calculation of financial contributions to individual programmes, and their administrative costs;
Article 36(3), point (c)			
319	(c) not confer on the third country or international organisation any decision-making power in respect of the Union programme;	(c) not confer on the third country or international organisation any decision-making power in respect of the Union programme;	(c) not confer on the third country or international organisation any decision-making power in respect of the Union programme;
Article 36(3), point (d)			
320	(d) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests;	(d) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests;	(d) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests;
Article 36(3), point (e)			
321	(e) be without prejudice to the obligations stemming from existing agreements entered into by the Union, in particular with reference to the right of use of frequencies.	(e) be without prejudice to the obligations stemming from existing agreements entered into by the Union <u>or the Member States</u> , in particular with reference to the right of use of frequencies.	<i>deleted</i>
Article 36(4)			
322	4. Without prejudice to the	4. Without prejudice to the	4. Without prejudice to the

	conditions laid down in paragraphs 1, 2 and 3, and in the interest of security, the Commission may, by means of implementing acts, establish additional requirements for the participation of third countries and international organisations in the Programme, to the extent compatible with the existing agreements referred to in paragraph 1 and 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	conditions laid down in paragraphs 1, 2 and 3, and in the interest of security, the Commission may, by means of implementing acts, establish additional requirements for the participation of third countries and international organisations in the Programme, to the extent compatible with the existing agreements referred to in paragraph 1 and 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	conditions laid down in paragraphs 1, 2 and 3 of this Article , and in the interest of security, the Commission may, by means of implementing acts, establish additional requirements for the participation of third countries and international organisations in the Programme, to the extent compatible with the existing agreements referred to in paragraph paragraphs 1 and 2 of this Article . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).
Article 37			
323	Article 37 Access to the governmental services by third countries and international organisations	Article 37 Access to the governmental services by third countries and international organisations	Article 37 Access to the governmental services by third countries and international organisations
Article 37, first paragraph, introductory part			
324	Third countries and international organisations may have access to the governmental services provided that:	Third countries and international organisations may have access to the governmental services provided that:	Third countries and international organisations may have access to the governmental services provided that:
Article 37, first paragraph, point (a)			
325	(a) they conclude an agreement, in accordance with Article 218 TFEU, laying down the terms and conditions for access to governmental services;	(a) they conclude an agreement, in accordance with Article 218 TFEU, laying down the terms and conditions for access to governmental services;	(a) they conclude an agreement, in accordance with Article 218 TFEU, laying down the terms and conditions for access to governmental services;

Article 37, first paragraph, point (b)			
326	(b) they comply with Article 43(1) of Regulation (EU) 2021/696.	(b) they comply with Article 43(1) of Regulation (EU) 2021/696.	(b) they comply with Article 43(1) of Regulation (EU) 2021/696.
Article 37, second paragraph			
327	For the purposes of this Regulation, the references to ‘the Programme’ in Article 43(1) of Regulation (EU) 2021/696 shall be construed as references to ‘the Programme’ established by this Regulation.	For the purposes of this Regulation, the references to ‘the Programme’ in Article 43(1) of Regulation (EU) 2021/696 shall be construed as references to ‘the Programme’ established by this Regulation.	For the purposes of this Regulation, the references to ‘the Programme’ in Article 43(1) of Regulation (EU) 2021/696 shall be construed as references to ‘the Programme’ established by this Regulation.
Chapter VIII			
328	Chapter VIII Programming, monitoring, evaluation and control	Chapter VIII Programming, monitoring, evaluation and control	Chapter VIII Programming, monitoring, evaluation and control
Article 38			
329	Article 38 Programming, monitoring and reporting	Article 38 Programming, monitoring and reporting	Article 38 Programming, monitoring and reporting
Article 38(1), first subparagraph			
330	1. The Programme shall be implemented by the work programme referred to in Article 110 of the Financial Regulation. The	1. The Programme shall be implemented by the work programme referred to in Article 110 of the Financial Regulation. The work	1. The Programme shall be implemented by the work programme referred to in Article 110 of the Financial Regulation. The work

	work programme shall set out the actions and associated budget required to meet the objectives of the Programme and, where applicable, the overall amount reserved for blending operations. The work programme shall complement the work programme for GOVSATCOM component of the Union Space Programme referred to in Article 100 of Regulation (EU) 2021/696.	programme shall set out the actions and associated budget required to meet the objectives of the Programme and, where applicable, the overall amount reserved for blending operations. The work programme shall complement the work programme for GOVSATCOM component of the Union Space Programme referred to in Article 100 of Regulation (EU) 2021/696.	programme shall set out the actions and associated budget required to meet the objectives of the Programme and, where applicable, the overall amount reserved for blending operations. The work programme shall complement the work programme for GOVSATCOM component of the Union Space Programme referred to in Article 100 of Regulation (EU) 2021/696.
Article 38(1), second subparagraph			
331	The Commission shall adopt the work programme by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	The Commission shall adopt the work programme by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	The Commission shall adopt the annual work programme by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).
Article 38(2)			
332	2. Indicators to report on progress of the Programme towards the achievement of the general and specific objectives laid down in Article 3 are set out in the Annex.	2. Indicators to report on progress of the Programme towards the achievement of the general and specific objectives laid down in Article 3 are set out in the Annex.	2. Indicators to report on progress of the Programme towards the achievement of the general and specific objectives laid down in Article 3 are set out in the Annex.
Article 38(3)			
333	3. The Commission is empowered to adopt delegated acts, in accordance with Article 43, to	3. The Commission is empowered to adopt delegated acts, in accordance with Article 43, to amend the Annex	3. The Commission is empowered to adopt delegated acts, in accordance with Article 43, to amend the Annex

	amend the Annex with regard to the indicators where considered necessary as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.	with regard to the indicators where considered necessary as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.	with regard to the indicators where considered necessary as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.
Article 38(4)			
334	4. Where imperative grounds of urgency so require, the procedure provided for in Article 44 shall apply to delegated acts adopted pursuant to this Article.	4. Where imperative grounds of urgency so require, the procedure provided for in Article 44 shall apply to delegated acts adopted pursuant to this Article.	4. Where imperative grounds of urgency so require, the procedure provided for in Article 44 shall apply to delegated acts adopted pursuant to this Article.
Article 38(5), first subparagraph			
335	5. The performance reporting system shall ensure that data for monitoring the implementation and the results of the Programme are collected efficiently, effectively, and in a timely manner.	5. The performance reporting system shall ensure that data for monitoring the implementation and the results of the Programme are collected efficiently, effectively, and in a timely manner.	5. The performance reporting system shall ensure that data for monitoring the implementation and the results of the Programme are collected efficiently, effectively, and in a timely manner.
Article 38(5), second subparagraph			
336	To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and, where appropriate, on Member States.	To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and, where appropriate, on Member States.	To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and, where appropriate, on Member States.
Article 38(6)			
337	6. For the purposes of paragraph 2,	6. For the purposes of paragraph 2,	6. For the purposes of paragraph 2,

	the recipients of Union funds shall provide appropriate information. The data necessary for the verification of the performance shall be collected in an efficient, effective and timely manner.	the recipients of Union funds shall provide appropriate information. The data necessary for the verification of the performance shall be collected in an efficient, effective and timely manner.	the recipients of Union funds shall provide appropriate information. The data necessary for the verification of the performance shall be collected in an efficient, effective and timely manner.
Article 39			
338	Article 39 Evaluation	Article 39 Evaluation <u>and review</u>	Article 39 Evaluation
Article 39(1)			
339	1. The Commission shall carry out evaluations of the Programme in a timely manner to feed into the decision-making process.	1. The Commission shall carry out evaluations of the Programme in a timely manner to feed into the decision-making process.	1. The Commission shall carry out evaluations of the Programme in a timely manner to feed into the decision-making process.
Article 39(1a)			
339a			1a. Within one year of the entry into force of this Regulation the Commission shall inform the Parliament and Council on the main findings regarding the initial implementation, including the completion of definition activities, consolidation of user needs and implementation plans.
Article 39(2), first subparagraph, introductory part			
340	2. By [DATE 3 YEARS AFTER	2. By [DATE 3 ² YEARS AFTER	2. By [DATE 3 YEARS AFTER

	THE ENTRY INTO FORCE], and every four years thereafter, the Commission shall evaluate the implementation of the Programme. It shall assess:	THE ENTRY INTO FORCE] <u>and in any event by the 30 June 2026</u> , and every four <u>two</u> years thereafter, the Commission shall evaluate the implementation of the Programme. <u>When carrying out the evaluation, the Commission shall take into account the views of relevant stakeholders at both Union and national levels</u> . It shall assess:	THE ENTRY INTO FORCE OF THIS REGULATION], and every four years thereafter, the Commission shall evaluate the implementation of the Programme against the objectives referred to in Article 3 . It shall assess:
Article 39(2), first subparagraph, point (a)			
341	(a) the performance of the services provided under the Programme;	(a) the performance of the <u>secure connectivity infrastructure and</u> services provided under the Programme, <u>including connection speed, low latency, availability, reliability, autonomy, worldwide access</u> ;	(a) the performance of the secure connectivity system and services provided under the Programme in particular low latency, reliability, autonomy and worldwide access ;
Article 39(2), first subparagraph, point (aa)			
341a		<u>(aa) the governance and implementation models, and their efficiency</u> ;	(aa) the governance and implementation models ;
Article 39(2), first subparagraph, point (b)			
342	(b) the evolution of needs of the users of the Programme.	(b) the evolution of needs of the users of the Programme-;	(b) the evolution of needs of the users of the Programme-;
Article 39(2), first subparagraph, point (ba)			
342a			

		<u>(ba) the synergy and complementarity of the Programme with GOVSATCOM and the other components of the Union Space Programme;</u>	(ba) the evolution of available capacities and development of new technologies;
Article 39(2), first subparagraph, point (c)			
342b			(c) the leveraging of New Space, especially start-ups and SMEs, across the Union.
Article 39(2), first subparagraph, point (bb)			
342c		<u>(bb) the evolution of available capacities and the development of new technologies;</u>	
Article 39(2), first subparagraph, point (bc)			
342d		<u>(bc) the participation and leveraging of the innovation in the space ecosystem, in particular start-ups and SMEs across the Union;</u>	
Article 39(2), first subparagraph, point (bd)			
342e		<u>(bd) the environmental impact of the Programme taking account of the criteria set out in Article 7a;</u>	
Article 39(2), first subparagraph, point (be)			
342f			

		<u>(be) any cost overruns, the timeliness in meeting the established project deadlines and the effectiveness of the governance and management of the Programme;</u>	
Article 39(2), first subparagraph, point (bf)			
342g		<u>(bf) the effectiveness, efficiency, relevance, coherence, and Union added value of the Programme's activities;</u>	
Article 39(2), first subparagraph, point (bg)			
342h		<u>(bg) the degree of synergy and complementarity of the Programme with relevant Union, national and, where relevant, regional initiatives.</u>	
Article 39(2), second subparagraph			
343	If appropriate, the evaluation shall be accompanied by an appropriate proposal.	If appropriate, the evaluation shall be accompanied by an appropriate proposal.	If appropriate, the evaluation shall be accompanied by an appropriate proposal.
Article 39(3)			
344	3. The evaluation of the Programme shall take into consideration the results of the evaluation of the GOVSATCOM component of the Union Space Programme, carried out in accordance with Article 102 of	3. The evaluation of the Programme shall take into consideration the results of the evaluation of the GOVSATCOM component of the Union Space Programme, carried out in accordance with Article 102 of	3. The evaluation of the Programme shall take into consideration the results of the evaluation of the GOVSATCOM component of the Union Space Programme, carried out in accordance with Article 102 of

	Regulation (EU) 2021/696.	Regulation (EU) 2021/696. <u><i>If the Commission considers it to be appropriate, in view of the overall coherence of the Union space sector, the evaluation shall be accompanied, at the latest in the MFF 2028-2034, by an appropriate proposal to integrate the Programme into the Union Space Programme.</i></u>	Regulation (EU) 2021/696.
Article 39(4)			
345	4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.
Article 39(5)			
346	5. The entities involved in the implementation of this Regulation shall provide the Commission with the data and information necessary for the evaluation referred to in paragraph 1.	5. The entities involved in the implementation of this Regulation shall provide the Commission with the data and information necessary for the evaluation referred to in paragraph 1.	5. The entities involved in the implementation of this Regulation shall provide the Commission with the data and information necessary for the evaluation referred to in paragraph 1.
Article 39(6)			
347	6. Two years after the full	6. Two years after the full	6. Two years after the full

	operational capability, and every two years thereafter, the Agency shall issue a market report, in consultation with relevant stakeholders, on the impact of the Programme on the EU commercial satellite industry with a view to ensuring the minimum possible impact on competition and the maintenance of incentives to innovate.	operational capability, and every two years thereafter, the Agency shall issue a market report, in consultation with relevant stakeholders, on the impact of the Programme on the EU commercial satellite industry with a view to ensuring the minimum possible impact on competition and the maintenance of incentives to innovate.	operational capability, and every two years thereafter, the Agency shall issue a market report, in consultation with relevant stakeholders, on the impact of the Programme on the EU Union commercial satellite upstream and downstream industry with a view to ensuring the minimum possible impact on competition and the maintenance of incentives to innovate.
Article 40			
348	Article 40 Audits	Article 40 Audits	Article 40 Audits
Article 40, first paragraph			
349	Audits on the use of the Union contribution carried out by persons or entities, including by others than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.	Audits on the use of the Union contribution carried out by persons or entities, including by others than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.	Audits on the use of the Union contribution carried out by persons or entities, including by others than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.
Article 41			
350	Article 41 Personal data and privacy protection	Article 41 Personal data and privacy protection	Article 41 Personal data and privacy protection
Article 41, first paragraph			

351	<p>All personal data handled in the context of the tasks and activities provided for in this Regulation, including by the Agency, shall be processed in accordance with the applicable law on personal data protection, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. 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 (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p>	<p>All personal data handled in the context of the tasks and activities provided for in this Regulation, including by the Agency, shall be processed in accordance with the applicable law on personal data protection, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. 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 (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p>	<p>All personal data handled in the context of the tasks and activities provided for in this Regulation, including by the Agency, shall be processed in accordance with the applicable law on personal data protection, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. 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 (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p>
Chapter IX			
352	Chapter IX Delegation and implementing measures	Chapter IX Delegation and implementing measures	Chapter IX Delegation and implementing measures
Article 42			

353	Article 42 Committee procedure	Article 42 Committee procedure	Article 42 Committee procedure
Article 42(1), first subparagraph			
354	1. The Commission shall be assisted by the Programme committee established by Article 107 of Regulation (EU) 2021/696, in the GOVSATCOM configuration. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Programme committee established by Article 107 of Regulation (EU) 2021/696, in the GOVSATCOM configuration. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Programme committee established by Article 107 of Regulation (EU) 2021/696, in the GOVSATCOM configuration. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
Article 42(1), second subparagraph			
355	For the purposes of the adoption of implementing acts referred to in Articles 5(3) and 27(2) of this Regulation, the committee referred to in the first subparagraph of this paragraph shall meet in the security configuration defined in Article 107(1), point (e), of Regulation (EU) 2021/696.	For the purposes of the adoption of implementing acts referred to in Articles 5(3) and 27(2) of this Regulation, the committee referred to in the first subparagraph of this paragraph shall meet in the security configuration defined in Article 107(1), point (e), of Regulation (EU) 2021/696.	For the purposes of the adoption of implementing acts referred to in Articles 5(3) and 27(2) of this Regulation, the committee referred to in the first subparagraph of this paragraph shall meet in the security configuration defined in Article 107(1), point (e), of Regulation (EU) 2021/696.
Article 42(1), third subparagraph			
355a			For the purposes of the adoption of implementing acts referred to in Articles 6a(2) and 7(1-a) of this Regulation, the committee in the security configuration defined in Article 107(1), point (e), of

			Regulation (EU) 2021/696 shall be duly involved.
Article 42(1a)			
355b			1a. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.
Article 42(2)			
356	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
Article 42(3)			
357	3. Where the Programme committee delivers no opinion on the draft implementing act referred to in Article 27(2) of this Regulation, the Commission shall not adopt the draft implementing act and Article 5(4), third subparagraph of Regulation (EU) No 182/2011 shall apply.	3. Where the Programme committee delivers no opinion on the draft implementing act referred to in Article 27(2) of this Regulation, the Commission shall not adopt the draft implementing act and Article 5(4), third subparagraph of Regulation (EU) No 182/2011 shall apply.	3. Where the Programme committee delivers no opinion on the draft implementing act referred to in Article 27(2) of this Regulation, the Commission shall not adopt the draft implementing act and Article 5(4), third subparagraph of Regulation (EU) No 182/2011 shall apply.
Article 43			
358	Article 43 Exercise of the delegation	Article 43 Exercise of the delegation	Article 43 Exercise of the delegation
Article 43(1)			

359	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.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
Article 43(2)			
360	2. The power to adopt delegated acts referred to in Article 38 shall be conferred on the Commission until 31 December 2028.	2. The power to adopt delegated acts referred to in Article <u>Articles 6a and</u> 38 shall be conferred on the Commission until 31 December 2028.	2. The power to adopt delegated acts referred to in Article 38 shall be conferred on the Commission until 31 December 2028.
Article 43(3)			
361	3. The delegation of power referred to in Article 38 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 act already in force.	3. The delegation of power referred to in Article <u>Articles 6a and</u> 38 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 act already in force.	3. The delegation of power referred to in Article 38 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 act already in force.
Article 43(4)			
362	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in	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 of 13 April 2016 on Better Law-Making.	accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
Article 43(5)			
363	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
Article 43(6)			
364	6. A delegated act adopted pursuant to Article 38 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 <u>Articles 6a and</u> 38 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 38 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.
Article 44			
365	Article 44 Urgency procedure	Article 44 Urgency procedure	Article 44 Urgency procedure

Article 44(1)			
366	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
Article 44(2)			
367	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 43(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 43(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 43(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
Chapter X			
368	Chapter X Transitional and final provisions	Chapter X Transitional and final provisions	Chapter X Transitional and final provisions
Article 45			
369	Article 45	Article 45	Article 45

	Information, communication and publicity	Information, communication and publicity	Information, communication and publicity
Article 45(1)			
370	1. The recipients of Union funding shall acknowledge the origin of those funds and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.	1. The recipients of Union funding shall acknowledge the origin of those funds and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public <u>with a view to improve the Union-wide communication with regard to the benefits of space services, while including SMEs in awareness-raising in order to demonstrate their involvement in the development and delivery of space services to citizens.</u>	1. The recipients of Union funding shall acknowledge the origin of those funds and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
Article 45(2)			
371	2. The Commission shall implement information and communication actions relating to the Programme, to actions taken pursuant to the Programme and to the results obtained.	2. The Commission shall implement information and communication actions relating to the Programme, to actions taken pursuant to the Programme and to the results obtained.	2. The Commission shall implement information and communication actions relating to the Programme, to actions taken pursuant to the Programme and to the results obtained.
Article 45(3)			
372	3. Financial resources allocated to the Programme shall also contribute	3. Financial resources allocated to the Programme shall also contribute	3. Financial resources allocated to the Programme shall also contribute

	to the corporate communication of the political priorities of the Union, insofar as those priorities are related to the objectives referred to in Article 3.	to the corporate communication of the political priorities of the Union, insofar as those priorities are related to the objectives referred to in Article 3.	to the corporate communication of the political priorities of the Union, insofar as those priorities are related to the objectives referred to in Article 3.
Article 46			
373	Article 46 Continuity of services after 2027	Article 46 Continuity of services after 2027	Article 46 Continuity of services after 2027
Article 46, first paragraph			
374	If necessary, appropriations may be entered in the Union budget beyond 2027 to cover the expenses necessary to fulfil the objectives provided for in Article 3, to enable the management of actions not completed by the end of the Programme, as well as expenses covering critical operational activities and services provision.	If necessary, appropriations may be entered in the Union budget beyond 2027 to cover the expenses necessary to fulfil the objectives provided for in Article 3, to enable the management of actions not completed by the end of the Programme, as well as expenses covering critical operational activities and services provision.	If necessary, appropriations from the MFF 2021-2027 may be entered in the Union budget beyond 2027 to cover the expenses necessary to fulfil the objectives provided for in Article 3, to enable the management of actions not completed by the end of the Programme, as well as expenses covering critical operational activities and services provision.
Article 47			
375	Article 47 Entry into force	Article 47 Entry into force	Article 47 Entry into force
Article 47, first paragraph			
376	This Regulation shall enter into force on the twentieth day following that of its publication in the Official	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal

	Journal of the European Union.	of the European Union.	of the European Union.
Article 47, second paragraph			
377	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.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
Formula			
378	Done at Strasbourg,	Done at Strasbourg,	Done at Strasbourg,
Formula			
379	For the European Parliament	For the European Parliament	For the European Parliament
Formula			
380	The President	The President	The President
Formula			
381	For the Council	For the Council	For the Council
Formula			
382	The President	The President	The President
Annex, first heading			
383	INDICATORS FOR THE	INDICATORS FOR THE	INDICATORS FOR THE

	EVALUATION OF THE PROGRAMME	EVALUATION OF THE PROGRAMME	EVALUATION OF THE PROGRAMME
Annex, first paragraph, introductory part			
384	The Programme will be monitored closely on the basis of a set of indicators intended to measure the extent to which the specific objectives of the Programme have been achieved and with a view to minimising administrative burdens and costs. To that end, data will be collected as regards the following set of key indicators:	The Programme will be monitored closely on the basis of a set of indicators intended to measure the extent to which the specific objectives of the Programme have been achieved and with a view to minimising administrative burdens and costs. To that end, data will be collected as regards the following set of key indicators:	The Programme will be monitored closely on the basis of a set of indicators intended to measure the extent to which the specific objectives of the Programme have been achieved and with a view to minimising administrative burdens and costs. To that end, data will be collected as regards the following set of key indicators:
Annex, first paragraph, point (1)			
384a			1. General objective referred to in Article 3(1), point (a):
Annex, first paragraph, point (1), first paragraph			
384b			Indicator 1.1: Member States governments and EU institutions can access a set of first governmental services in 2024
Annex, first paragraph, point (1), second paragraph			
384c			Indicator 1.2: Member States governments and EU institutions can access full operational capability that meets the user

			needs and demand determined in the service portfolio in 2027
Annex, first paragraph, point (1), third paragraph			
384d			Indicator 1.3: Percentage of governmental service availability for each deployed governmental service
Annex, first paragraph, point (1), fourth paragraph			
384e			Indicator 1.4: Speed, bandwidth and latency performance for each deployed governmental service
Annex, first paragraph, point (1), fifth subparagraph			
384f			Indicator 1.5: Percentage of geographical availability of all deployed governmental services within Member States territories
Annex, first paragraph, point (1), sixth subparagraph			
384g			Indicator 1.6: cost to completion
Annex, first paragraph, first paragraph			
385	Indicators should be linked to the specific objectives but without repeating them to avoid incoherence.	Indicators should be linked to the specific objectives but without repeating them to avoid incoherence.	<i>deleted</i>

Annex, first paragraph, point (2)			
385a			2. General objective referred to in Article 3(1), point (c):
Annex, first paragraph, point (2), first paragraph			
385b			Indicator 2.1: Percentage of commercial service availability
Annex, first paragraph, point (2), second paragraph			
385c	Indicator 1: Speed of the commercial satellite broadband Moved reference text		Indicator 1 2.2:Speed, bandwidth and latency performance Speed of the commercial satellite broadband service Moved from row 400
Annex, first paragraph, point (2), third paragraph			
385d			Indicator 2.3: Percentage of communication dead zones in Member States territories
Annex, first paragraph, point (2), fourth paragraph			
385e			Indicator 2.4: Amount invested by private sector
Annex, first paragraph, point (3)			
385f			3. Specific objective referred to in

			Article 3(2), point (-a):
Annex, first paragraph, point (3), first paragraph			
385g			Indicator 3.1: GOVSATCOM Hubs can provide services stemming from the secure connectivity system
Annex, first paragraph, point (4)			
386	Specific objective 1: Improve the resilience of the Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696.	Specific objective 1: Improve the resilience of the Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the <u>quality, resilience and autonomy of the Union's and Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696</u> <u>satellite services</u>	4. Specific objective 1: Improve the resilience of the Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696 referred to in Article 3(2), point (a):
Annex, first paragraph, second paragraph, first paragraph			
387	Indicator 1: Member States governments and EU institutions can access initial set of governmental services in 2025, with full capacity in 2027	Indicator 1: Member States governments and EU institutions, <u>bodies, offices and agencies of the Union</u> can access initial set of governmental services in 2025 <u>2024</u> ,	<i>deleted</i>

		with full capacity in 2027	
<i>Annex, first paragraph, second paragraph, second paragraph</i>			
388	Indicator 2: Service availability	Indicator 2: <u>The system performance in term of worldwide coverage, service availability, bandwidth</u>	<i>deleted</i>
<i>Annex, first paragraph, second paragraph, third paragraph</i>			
389	Indicator 3: Full integration of existing capacity from the Union pool via the integration of GOVSATCOM ground infrastructure	Indicator 3: Full integration of existing capacity from the Union pool via the integration of GOVSATCOM ground infrastructure	<i>deleted</i>
<i>Annex, first paragraph, point (4), first paragraph</i>			
389a			Indicator 4.1: Percentage of services deployed related to the service portfolio
<i>Annex, first paragraph, point (4), second paragraph</i>			
389b			Indicator 4.2: Percentage of available capacity for each deployed service
<i>Annex, first paragraph, point (4), third paragraph</i>			
390	Indicator 4: Annual number of major outages of the telecommunication networks in the Member States	Indicator 4: Annual number of major outages of the telecommunication networks in the Member States	Indicator 44 .3: Annual number of major outages of the telecommunication networks in the

	mitigated by the secure connectivity system	mitigated by the <u>governmental services offered by the</u> secure connectivity system	Member States due to crisis situations mitigated by the governmental services offered by the secure connectivity system
Annex, first paragraph, point (4), fourth paragraph			
391	Indicator 5: User's satisfaction with the performance of the secure connectivity system	Indicator 5: User's satisfaction with the performance of the secure connectivity system	Indicator 5 : 4.4: Governmental user's satisfaction with the performance of the secure connectivity system measured through annual survey
Annex, first paragraph, point (4), fifth paragraph			
391a			Indicator 4.5: Governmental infrastructure and related governmental services obtain security accreditation
Annex, first paragraph, point (5)			
391b			5. Specific objective referred to in Article 3(2), point (aa):
Annex, first paragraph, point (5), first paragraph			
391c			Indicator 5.1: Number and severity of cyber security incidents and number of electromagnetic disturbances related to the secure connectivity system (classified)
Annex, first paragraph, point (6)			

391d			6. Specific objective referred to in Article 3(2), point (ab):
Annex, first paragraph, point (6), first paragraph			
391e			Indicator 6.1: validation and accreditation of different technologies and communication protocols
Annex, first paragraph, point (7)			
391f			7. Specific objective referred to in Article 3(2), point (ac):
Annex, first paragraph, point (7), first paragraph			
391g			Indicator 7.1: Number of satellites per orbital slot
Annex, first paragraph, second paragraph, fifth paragraph a			
391h		<u><i>Indicator 6: Number of users of governmental services in the EU</i></u>	
Annex, first paragraph, second paragraph, fifth paragraph b			
391i		<u><i>Indicator 7: Rate of coverage of Programme participants and number of third countries and international organisations participating in the Programme in</i></u>	

		<u>accordance with Article 36</u>	
Annex, first paragraph, third paragraph, introductory part			
392	Specific objective 2: Contribute to cyber resilience by proactive and reactive defence against cyber and electromagnetic threats and operational cybersecurity, and integrate the space and related ground segment of the European Quantum Communication Infrastructure to enable secure transmission of cryptographic keys	Specific objective 2: Contribute to <u>Increase the</u> cyber resilience <u>of the Union by developing redundancy, passive-by proactive</u> and reactive defence against cyber and electromagnetic threats <u>protection</u> and operational cybersecurity, and integrate the space and related ground segment of the European Quantum Communication Infrastructure to enable secure transmission of cryptographic keys	deleted
Annex, first paragraph, third paragraph, first paragraph			
393	Indicator 1: System obtains security accreditation allowing the services to transmit EU Classified Information (EUCI) up to a certain classification level and the national classified information of EU Member States of equivalent classification level, following the principles set in Council Decision (2013/488/EU) on the security rules for protecting EUCI	Indicator 1: System obtains security accreditation allowing the services to transmit EU Classified Information (EUCI) up to a certain classification level and the national classified information of EU Member States of equivalent classification level, following the principles set in Council Decision (2013/488/EU) on the security rules for protecting EUCI	deleted
Annex, first paragraph, third paragraph, second paragraph			
394	Indicator 2: Integration of EuroQCI space infrastructure based on the	Indicator 2: Integration of EuroQCI space infrastructure based on the	deleted

	most suitable technical solution	most suitable technical solution	
Annex, first paragraph, third paragraph, second paragraph a			
394a		<u>Indicator 2: Annual number and severity of impact of cybersecurity incidents to the secure connectivity system</u>	
Annex, first paragraph, third paragraph a			
394b		<u>Specific objective 2a: Develop and integrate the space and related ground segment of the EuroQCI to enable secure transmission of cryptographic keys</u>	
Annex, first paragraph, third paragraph b			
394c		<u>Indicator 1: Number of Member States connected to the terrestrial network of the EuroQCI</u>	
Annex, first paragraph, third paragraph c			
394d		<u>Indicator 2: Quantum key distribution satellites needed for the functioning of the EuroQCI are in orbit and functional</u>	
Annex, first paragraph, fourth paragraph, introductory part			
395	Specific objective 3: Improve and	Specific objective 3: Improve and	8. Specific objective 3: Improve and

	expand the capabilities and services of other components of the Union Space Programme	expand <u>Enable, where possible, the development of communication and other services, in particular by improving, creating synergies between and expanding the capabilities and services of other components of the Union Space Programme, as well as services that are not components of the Union Space Programme, by hosting additional satellite subsystems, including payloads</u>	expand the capabilities and services of other components of the Union Space Programme referred to in Article 3(2), point (c):
Annex, first paragraph, fourth paragraph, first paragraph			
396	Indicator 1: Number of payloads serving other components of the Union Space Programme	Indicator 1: Number of payloads serving other components of improving the Union Space Programme <u>Situational Awareness capacities</u>	Indicator 1 8.1 : Number of satellite subsystems, including payloads, serving other components of the Union Space Programme
Annex, first paragraph, fourth paragraph, first paragraph a			
396a		<u>Indicator 2: Number of payloads improving the EGNSS capabilities</u>	
Annex, first paragraph, fourth paragraph, first paragraph b			
396b		<u>Indicator 3: Number of payloads improving the Copernicus capabilities</u>	
Annex, first paragraph, fifth paragraph, introductory part			
397			

	Specific objective 4: Incentivise the development of innovative and disruptive technologies, in particular by leveraging the New Space industry.	Specific objective 4: Incentivise the <u>innovation as well as the, development and use</u> of innovative and disruptive technologies <u>in the whole European space ecosystem</u> , in particular by leveraging the New Space industry. <u>supporting new entrants, start-ups and SMEs of the up-, mid- and down-stream sector across the Union</u>	deleted
Annex, first paragraph, fifth paragraph, first paragraph			
398	Indicator 1: Number of start-up, SME and midcap companies participating in the development of the infrastructure	Indicator 1: Number of start-up, SME <u>new entrants, start-ups, SMEs</u> and midcap companies participating in the development <u>providing services on the basis</u> of the infrastructure	deleted
Annex, first paragraph, fifth paragraph, first paragraph a			
398a		<u>Indicator 2: Overall percentage of the value of the contracts subcontracted by the prime tenderers to SMEs other than those affiliated with the tenderer's group and share of their cross-border participation</u>	
Annex, first paragraph, point (9)			
398b			9. Specific objective referred to in Article 3(2), point (d):

Annex, first paragraph, point (9), first paragraph			
398c			Indicator 9.1: Number of start-ups and SMEs involved in the Programme and related percentage of contract value
Annex, first paragraph, point (9), second paragraph			
398d			Indicator 9.2: Number of mid-cap companies involved in the Programme and related percentage of contract value
Annex, first paragraph, point (9), third paragraph			
398e			Indicator 9.3: Number of Member States from which start-ups and SMEs are involved in the Programme
Annex, first paragraph, point (10)			
399	Specific objective 5: Allow further development of high-speed broadband and seamless connectivity throughout the Union, removing communication dead zones and increasing cohesion across Member State territories, and allow connectivity over geographical areas of strategic interest outside of the Union.	Specific objective 5: Allow further development of high-speed broadband and seamless connectivity throughout the Union, <u>and thereby remove removing</u> communication dead zones <u>in support of the inclusive, cohesive and sustainable development of the Union while bridging the digital divide</u> and increasing cohesion across Member State territories , <u>enable affordable</u>	10. Specific objective 5: Allow further development of high-speed broadband and seamless connectivity throughout the Union, removing communication dead zones and increasing cohesion across Member State territories, and allow connectivity over geographical areas of strategic interest outside of the Union, referred to in Article 3(2), point (e):

		<u>access and increase cohesion across the Union and</u> and allow connectivity over geographical areas of strategic interest outside of the Union.	
Annex, first paragraph, sixth paragraph, first paragraph			
400	Indicator 1: Speed of the commercial satellite broadband	Indicator 1: Speed, <u>latency, availability and reliability</u> of the commercial satellite broadband	Moved to row 385c
Annex, first paragraph, point (10), first paragraph			
401	Indicator 2: Number of new commercial satellite communication potential users in EU rural areas and in geographical areas of strategic interest	Indicator 2: Number of new commercial satellite communication potential users in EU rural areas, <u>outermost regions, overseas countries and territories, and</u> and in geographical areas of strategic interest <u>outside the Union</u>	Indicator 2: Number of new commercial satellite communication potential users in EU rural areas and in geographical areas of strategic interest 10.1: Percentage of geographical availability of required services within areas of strategic interest
Annex, first paragraph, point (11)			
401a			11. Specific objective referred to in Article 3(2), point (f): Typo in Council Mandate Typo in Council Mandate 10854/22 (objective twice)
Annex, first paragraph, point (11), first paragraph			
401b			

			Indicator 11.1: Greenhouse gas footprint of development, production and deployment
Annex, first paragraph, point (11), second paragraph			
401c			Indicator 11.2: Number of active satellites and decommissioned satellites
Annex, first paragraph, point (11), third paragraph			
401d			Indicator 11.3: Number of debris generated by the constellation
Annex, first paragraph, point (11), fourth paragraph			
401e			Indicator 11.4: Number of close encounters
Annex, first paragraph, sixth paragraph, second paragraph a			
401f		<u><i>Indicator 3: Number of countries where the satellite broadband is available to consumers</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph b			
401g		<u><i>Specific objective 5a: Access to orbital slots and the right of use of relevant frequencies</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph c			

401h		<u>Indicator 1: Number of satellites per orbital slots in 2025, 2026, 2027</u>	
Annex, first paragraph, sixth paragraph, second paragraph d			
401i		<u>Specific objective 5b: Enhance the safety and sustainability of space activities by implementing appropriate measures to ensure and promote responsible behaviour in space when implementing the Programme</u>	
Annex, first paragraph, sixth paragraph, second paragraph e			
401j		<u>Indicator 1: Greenhouse gas footprint of development, production and deployment of the Programme</u>	
Annex, first paragraph, sixth paragraph, second paragraph f			
401k		<u>Indicator 2: Number of active satellites, decommissioned and recovered satellites</u>	
Annex, first paragraph, sixth paragraph, second paragraph g			
401l		<u>Indicator 3: Amount of debris generated by the constellation</u>	
Annex, first paragraph, sixth paragraph, second paragraph h			
401m			

		<u><i>Indicator 4: Ephemeris of the satellites shared with EU SST consortium</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph i			
401n		<u><i>Indicator 5: Appropriate measure of the effect of light reflection on astronomical observations</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph j			
401o		<u><i>Specific objective 5c: Improve the Union's strategical and technological autonomy in terms of space technologies, assets, operations and services</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph k			
401p		<u><i>Indicator 1: Evolution of satellites capacities bought by Member States and Union institutions from non-Union actors</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph l			
401q		<u><i>Indicator 2: Number of launches not carried from Union territory, or territory from members of the EFTA which are members of the EEA</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph m			

401r		<u><i>Indicator 3: Number of components and technologies used in the infrastructure that are not conceived and manufactured in the Union</i></u>	
Annex, first paragraph, sixth paragraph, second paragraph n			
401s		<u><i>Indicator 4: Percentage of user terminals used the services of the infrastructure that are conceived and produced in the Union</i></u>	