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From: General Secretariat of the Council
On: 28 January 2026
To: Delegations

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/1232 as regards the extension of its period of application
- Mandate for negotiations with the European Parliament

Delegations will find in the Annex the mandate on the abovementioned proposal approved by the Permanent Representatives Committee on 28 January 2026.

ANNEX

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2021/1232 as regards the extension of its period of application

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 16(2), in conjunction with Article 114(1), thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) Regulation (EU) 2021/1232 of the European Parliament and of the Council² provides for a temporary regime as regards of the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse, pending the adoption of a long-term legal framework addressing the prevention of and combating online child sexual abuse (the ‘long-term legal framework’). That Regulation, as amended by Regulation (EU) 2024/1307, applies until 3 April 2026.

¹ [OJ C , , p. .]

² Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41, ELI: <http://data.europa.eu/eli/reg/2021/1232/oj>).

(2) The proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse³, which the Commission adopted on 11 May 2022, aims to provide the long-term legal framework. However, the interinstitutional negotiations on that proposal have not yet advanced sufficiently to be certain that they will be concluded on time for the long-term legal framework, including any amendments to Regulation (EU) 2021/1232 that it may contain, to be adopted and start to apply before 4 April 2026.

(3) It is important that child sexual abuse online can be combated effectively, in accordance with the applicable rules of Union law, including the conditions set out in Regulation (EU) 2021/1232, and without interruption, pending the adoption and application of the long-term legal framework.

(4) Given these circumstances, Regulation (EU) 2021/1232 should be amended to extend its period of application for a period of time limited to that which is strictly necessary for the long-term legal framework to be adopted and start to apply.

(5) Considering the need to ensure legal certainty in a timely manner, and considering the limited nature of the amendment provided for in this Regulation, namely the extension of its period of application, it is appropriate to provide that this Regulation should enter into force as soon as possible.

(6) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council⁴ and delivered its opinion on [...].

(7) Regulation (EU) 2021/1232 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

³ Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, COM/2022/209 final.

⁴ 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, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

Article 1

In Article 10 of Regulation (EU) 2021/1232, the second subparagraph is replaced by the following:

“It shall apply until 3 April 2028”.

Article 2

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

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

Done at Brussels,

For the European Parliament

The President

For the Council

The President