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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	14850/21
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation - 4 column table

Delegations will find below the initial 4-column table for the trilogue negotiations on the proposed Regulation on digitalisation of Justice.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation

2021/0394(COD)

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2021/0394 (COD)	2021/0394 (COD)	2021/0394 (COD)	2021/0394 (COD) Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Proposal Title				
2	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation</p>	<p><u>DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION</u></p> <p><u>on the</u> proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p><u>regulation of the European Parliament and of the Council</u> on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation</p>	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>COM(2021)0759 – C9- 0451/2021 – 2021/0394(COD)</u></p> <p><u>(Ordinary legislative procedure: first reading)</u></p>		
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION <u>The European Parliament,</u></p>	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				

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4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2)(e) and (f), and Article 82(1)(d) thereof,	having regard to Article 294(2) , Article 81(2)(e) and (f) , and Article 82(1)(d) of the Treaty on the Functioning of the European Union, and in particular Article 81(2)(e) and (f), and Article 82(1)(d) thereof pursuant to which the Commission submitted the proposal to Parliament (C9-0451/2021) ,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2)(e) and (f), and Article 82(1)(d) 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,	Having regard to the proposal from the European Commission,



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				Text Origin: Commission Proposal
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,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal
Citation 4				

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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,	Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal
Formula				
8	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal

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Recital 1				
9	<p>(1) In its 2 December 2020 Communication on the digitalisation of justice in the EU¹ the Commission identified the need to modernise the legislative framework of the Union’s cross-border procedures in civil, commercial and criminal law, in line with the “digital by default” principle, while ensuring all necessary safeguards to avoid social exclusion.</p> <p>_____</p> <p>1. Communication from the</p>	<p>(1) <u>(1)</u> In its 2 December 2020 Communication on the digitalisation of justice in the EU⁴ <u>29</u> the Commission identified the need to modernise the legislative framework of the Union’s cross-border procedures in civil, commercial and criminal law, in line with the "digital by default" principle, while ensuring all necessary safeguards to avoid social exclusion, <u>and ensuring mutual trust, interoperability and security</u>.</p>	<p>(1) In its 2 December 2020 Communication on the digitalisation of justice in the EU¹ the Commission identified the need to modernise the legislative framework of the Union’s cross-border procedures in civil, commercial and criminal law, in line with the "digital by default" principle, while ensuring all necessary safeguards to avoid social exclusion.</p> <p>_____</p> <p>1. Communication from the</p>	

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	<p>Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Digitalisation of justice in the European Union. A toolbox of opportunities, COM(2020) 710 final</p>	<p><u>29 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Digitalisation of justice in the European Union. A toolbox of opportunities, COM(2020) 710 final</u></p> <p><i>1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Digitalisation of justice in the European Union.</i></p>	<p>Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Digitalisation of justice in the European Union. A toolbox of opportunities, COM(2020)COM (2020) 710 final.</p>	

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		<i>A toolbox of opportunities, COM(2020) 710 final</i>		
Recital 2				
10	(2) Facilitating access to justice for natural and legal persons, and facilitating judicial cooperation between the Member States are among the main objectives of the area of freedom, security and justice enshrined in Title V of Part Three of the Treaty on the Functioning of the European Union.	(2) Facilitating access to justice for natural and legal persons, and facilitating judicial cooperation between the Member States are among the main objectives of the area of freedom, security and justice enshrined in Title V of Part Three of the Treaty on the Functioning of the European Union. <u><i>In order to achieve a fully functional area of freedom, security and justice, it is important that all Member States seek to</i></u>	(2) Facilitating access to justice for natural and legal persons, and facilitating judicial cooperation between the Member States are among the main objectives of the area of freedom, security and justice enshrined in Title V of Part Three of the Treaty on the Functioning of the European Union.	

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		<u><i>reduce existing disparities regarding digitalisation, address the fragmentation of national justice systems and take advantage of the opportunities offered by the relevant Union funding mechanisms.</i></u>		
Recital 3				
11	(3) For the purposes of enhancing judicial cooperation and access to justice, legal acts of the Union providing for communication between competent authorities, including Union agencies and bodies, and between competent authorities and natural and legal	(3) For the purposes of enhancing judicial cooperation and access to justice, legal acts of the Union providing for communication between competent authorities, including Union agencies and bodies, and between competent authorities and natural and legal	(3) For the purposes of enhancing judicial cooperation and access to justice, legal acts of the Union providing for communication between competent authorities, including Union agencies and bodies, and between competent authorities and natural and legal	

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	persons, should be complemented by conditions for conducting such communication through digital means.	persons, should be complemented by <u>establishing the</u> conditions for conducting such communication through digital means.	persons in civil and commercial matters , should be complemented by conditions for conducting such communication through digital means.	
Recital 4				
12	(4) This Regulation seeks to improve the effectiveness and speed of judicial procedures and facilitate access to justice by digitalising the existing communication channels, which should lead to cost and time savings, reduction of the administrative burden, and improved resilience in force	(4) This Regulation seeks to improve the effectiveness and speed <u>efficiency, effectiveness</u> of judicial procedures and facilitate access to justice by digitalising the existing communication channels, which should lead to cost and time savings, reduction of the administrative burden, and improved resilience in force	(4) This Regulation seeks to improve the effectiveness and speed of judicial procedures and facilitate access to justice by digitalising the existing communication channels, which should lead to cost and time savings, reduction of the administrative burden, and improved resilience in force	

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	<p>majeure circumstances for all authorities involved in cross-border judicial cooperation. The use of digital channels of communication between competent authorities should lead to reduced delays in processing of the cases, which should benefit individuals and legal entities. This is also particularly important in the area of cross-border criminal proceedings in the context of the Union's fight against crime. In this regard, the high level of security that digital channels of communication can provide constitutes a step forward, also with respect to safeguarding the rights of the persons concerned and protection of their privacy and personal data.</p>	<p>majeure circumstances for all authorities involved in cross-border judicial cooperation. The use of digital channels of communication between competent authorities should lead to reduced delays in processing of the cases, <u>in the short term as well as in the long term</u>, which should benefit individuals, <u>legal entities and Member States' competent authorities, strengthening confidence in justice systems. Digitalisation of communication channels would also be of benefit and legal entities. This is also particularly important</u> in the area of cross-border criminal proceedings in the context of the Union's fight against crime. In this regard, the high level of security</p>	<p>majeure circumstances for all authorities involved in cross-border judicial cooperation. The use of digital channels of communication between competent authorities should lead to reduced delays in processing of the cases, which should benefit individuals and legal entities. This is also particularly important in the area of cross-border criminal proceedings in the context of the Union's fight against crime. In this regard, the high level of security that digital channels of communication can provide constitutes a step forward, also with respect to safeguarding the rights of the persons concerned and protection of their privacy and personal data.</p>	

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		<p>that digital channels of communication can provide constitutes a step forward, also with respect to safeguarding the rights of the persons concerned, <u>such as the right to the respect for private and family life and the right to the protection of</u> and protection of their privacy and personal data.</p>		
Recital 5				
13	<p>(5) It is important that appropriate channels are developed to ensure that justice systems can efficiently cooperate digitally. Therefore, it is essential to establish, at Union</p>	<p>(5) It is important that appropriate channels <u>and tools</u> are developed to ensure that justice systems can efficiently cooperate digitally. Therefore, it is essential to</p>	<p>(5) It is important that appropriate channels are developed to ensure that justice systems can efficiently cooperate digitally. Therefore, it is essential to establish, at Union</p>	

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	level, an information technology instrument that allows swift, direct, interoperable, reliable and secure cross-border electronic exchange of case related data among competent authorities.	establish, at Union level, ana <u>harmonized</u> information technology instrument that allows swift, direct, interoperable, reliable, <u>accessible</u> , and secure <u>and efficient</u> cross-border electronic exchange of case related data among competent authorities. <u>The European Commission and Member States should ensure that legal professionals are involved in the definition of the digital processes concerning them.</u>	level, an information technology instrument that allows swift, direct, interoperable, reliable and secure cross-border electronic exchange of ease related case-related data among competent authorities.	
Recital 6				
14	(6) There are tools which have been developed for the digital	(6) There are tools which have been developed for the digital	(6) There are tools which have been developed for the digital	

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	exchange of case related data, without replacing or requiring costly modifications to the existing IT systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main tool of this type developed to date.	exchange of case related data, without replacing or requiring costly modifications to the existing IT systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main tool of this type developed to date <u>to ensure the sustainability of cross-border electronic exchange of case-related data among competent authorities.</u>	exchange of case-related case-related data, without replacing or requiring costly modifications to the existing IT systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main tool of this type developed to date.	
Recital 7				
15	(7) Establishing digital channels for cross-border communication	(7) Establishing digital channels for cross-border communication	(7) Establishing digital channels for cross-border communication	

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	should contribute directly to improving access to justice, by enabling natural and legal persons to seek the protection of their rights and ascertain their claims, initiate proceedings, exchange case related data in digital form with judicial or other competent authorities, in procedures falling under the scope of Union law in the area of civil and commercial matters.	should contribute directly to improving access to justice, by enabling natural and legal persons to seek the protection of their rights and ascertain their claims, initiate proceedings, exchange case related data in digital form with judicial or other competent authorities, in procedures falling under the scope of Union law in the area of civil and commercial matters.	should contribute directly to improving access to justice, by enabling natural and legal persons to seek the protection of their rights and ascertain their claims, initiate proceedings, exchange case case-related data in digital form with judicial or other competent authorities, in procedures falling under the scope of Union law in the area of civil and commercial matters.	
Recital 8				
16	(8) This Regulation should cover the digitalisation of written communication in cases with cross-	(8) This Regulation should cover the digitalisation of written communication in cases with cross-	(8) This Regulation should cover the digitalisation of written communication in cases with cross-	

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	<p>border implications falling under the scope of the Union legal acts in civil, commercial and criminal matters. These acts should be listed in Annexes to this Regulation. Written communication between competent authorities and Union agencies and bodies, such as Eurojust, where provided for by the legal acts listed in the Annex II, should also be covered by this Regulation. At the same time, whether a case is to be considered a matter with cross-border implications, should be determined under the legal acts listed in Annex I and Annex II to this Regulation. Where the instruments listed in Annex I and Annex II to this Regulation explicitly state that national law should govern a</p>	<p>border implications falling under the scope of <i>certain of</i> the Union legal acts in civil, commercial and criminal matters. These acts should be listed in Annexes to this Regulation. Written communication between competent authorities and Union agencies and bodies, such as Eurojust, where provided for by the legal acts listed in the Annex II, should also be covered by this Regulation. At the same time, whether a case is to be considered a matter with cross-border implications, should be determined under the legal acts listed in Annex I and Annex II to this Regulation. Where the instruments listed in Annex I and Annex II to this Regulation explicitly state that national law</p>	<p>border implications falling under the scope of the Union legal acts in civil, commercial and criminal matters. These acts should be listed in Annexes to this Regulation. Written Communication between competent authorities and Union agencies and bodies, such as Eurojust, or the European Public Prosecutor Office where provided for by competent under the legal acts listed in the Annex II, should also be covered by this Regulation. At the same time, whether a case is to be considered a matter with cross-border implications, should be determined Where insolvency practitioners are competent under national law to receive claims lodged by a foreign creditor in insolvency</p>	

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	<p>communication procedure between competent authorities, this Regulation should not apply.</p>	<p>should govern a communication procedure between competent authorities, this Regulation should not apply. <u>Moreover, this Regulation should be without prejudice to national laws that designate any authority, person or body mandated under national law to deal with any aspect of the verification and filing of applications, documents and information. The requirements under applicable national law concerning the authenticity, accuracy, reliability, trustworthiness and the appropriate legal form of documents or information should remain unaffected, except from the conditions related to the communication by digital means</u></p>	<p>proceedings under the legal acts listed in Annex I and Annex II to this Regulation. Where the instruments listed in Annex I and Annex II to this Regulation explicitly state that national law should govern a communication procedure between competent authorities, Regulation 2015/848, they should be considered as competent authorities within the meaning of this Regulation should not apply.</p>	

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		<u>expressly introduced by this Regulation.</u>		
16a			<p>(8-a) Whether a case is to be considered a matter with cross-border implications, should be determined under the legal acts listed in Annexes I and II to this Regulation. Where the instruments listed in Annexes I and II to this Regulation explicitly state that national law should govern a communication procedure between competent authorities, this Regulation should not apply.</p>	

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Recital 9				
16b			(8a) The obligations under this Regulation do not apply to oral communication such as by phone or in person.	
Recital 9				
17	(9) This Regulation should not apply to service of documents pursuant to Regulation (EU) 2020/1784 of the European Parliament and of the Council ¹ and	(9) This Regulation should not apply to service of documents pursuant to Regulation (EU) 2020/1784 of the European Parliament and of the Council ¹ and	(9) This Regulation should not apply to service of documents pursuant to Regulation (EU) 2020/1784 of the European Parliament and of the Council ¹ and	

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	<p>Regulation (EC) No 1393/2007 of the European Parliament and of the Council², nor to the taking of evidence pursuant to Regulation (EU) 2020/1783 of the European Parliament and of the Council³ and Council Regulation (EC) No 1206/2001⁴, which already prescribe their own rules on digitalisation of judicial cooperation.</p> <p>_____</p> <p>1. Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service</p>	<p>Regulation (EC) No 1393/2007 of the European Parliament and of the Council², nor to the taking of evidence pursuant to Regulation (EU) 2020/1783 of the European Parliament and of the Council³ and Council Regulation (EC) No 1206/2001⁴, which already prescribe their own rules on digitalisation of judicial cooperation.</p> <p>_____</p> <p>1. Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service</p>	<p>Regulation (EC) No 1393/2007 of the European Parliament and of the Council², nor to the taking of evidence pursuant to Regulation (EU) 2020/1783 of the European Parliament and of the Council³ and Council Regulation (EC) No 1206/2001⁴, which already prescribe their own rules on digitalisation of judicial cooperation. However, in order to enhance electronic service of documents to be effected directly on a person who has a known address for service in another Member State, certain amendments are introduced to Regulation (EU) 2020/1784 of the European Parliament and of the Council⁵.</p>	

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	<p>of documents) (OJ L 405, 2.12.2020, p. 40).</p> <p>2. Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 (OJ L 324, 10.12.2007, p. 79).</p> <p>3. Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between</p>	<p>of documents) (OJ L 405, 2.12.2020, p. 40).</p> <p>2. Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 (OJ L 324, 10.12.2007, p. 79).</p> <p>3. Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between</p>	<p>1. Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (OJ L 405, 2.12.2020, p. 40).</p> <p>2. Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of</p>	

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	<p>the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast) (OJ L 405, 2.12.2020, p. 1).</p> <p>4. Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (OJ L 174, 27.6.2001, p. 1).</p>	<p>the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast) (OJ L 405, 2.12.2020, p. 1).</p> <p>4. Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (OJ L 174, 27.6.2001, p. 1).</p>	<p>documents), and repealing Council Regulation (EC) No 1348/2000 (OJ L 324, 10.12.2007, p. 79).</p> <p>3. Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast) (OJ L 405, 2.12.2020, p. 1).</p> <p>4. Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or</p>	

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			<p>commercial matters (OJ L 174, 27.6.2001, p. 1).</p> <p>5. Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast) (OJ L 405, 2.12.2020, p. 40).</p>	
Recital 10				
18	(10) In order to ensure secure,	(10) In order to ensure secure,	(10) In order to ensure secure,	

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	<p>swift, interoperable, confidential and reliable communication between Member States for the purposes of cross-border judicial procedures in civil, commercial and criminal matters, any appropriate modern communications technology should be used, provided that certain conditions as to the integrity and reliability of the document received and the identification of the participants in the communication are met. Therefore, a secure and reliable decentralised IT system should be used. Accordingly, it is necessary to establish such an IT system for data exchanges in cross-border judicial procedures. The decentralised nature of that IT system would enable secure data</p>	<p><u>efficient</u>, swift, interoperable, confidential and reliable communication between Member States for the purposes of cross-border judicial procedures in civil, commercial and criminal matters, any appropriate modern communications technology should be used, provided that certain conditions as to the <u>security</u>, integrity and reliability of the document received and the identification of the participants in the communication are met. Therefore, a secure, <u>efficient</u> and reliable decentralised IT system should be used. Accordingly, it is necessary to establish such an IT system <u>established</u> for data exchanges in cross-border judicial procedures. The decentralised</p>	<p>swift, interoperable, confidential and reliable communication between Member States for the purposes of cross-border judicial procedures in civil, commercial and criminal matters, any appropriate modern communications communication technology should be used, provided that certain conditions as to the integrity and reliability of the document received and the identification of the participants in the communication are met. Therefore, a secure and reliable decentralised IT system should be used. Accordingly, it is necessary to establish such an IT system for data exchanges in cross-border judicial procedures. The decentralised nature of that IT</p>	

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	exchanges exclusively between one Member State and another, without any of the Union institutions being involved in the substance of those exchanges.	nature of that <i>the</i> IT system would <i>should aim to</i> enable secure data exchanges exclusively between one Member State and another, without any of the Union institutions being involved in the substance of those exchanges. <i>The decentralised IT system should also make secure data exchanges possible between a Member State and Union agencies and bodies, such as Eurojust, in cases falling under the scope of the legal acts listed in Annex II.</i>	system would enable secure data exchanges exclusively between one Member State and another competent authorities , without any of the Union institutions being involved in the substance of those exchanges.	
Recital 11				
19	(11) The decentralised IT system	(11) The decentralised IT system	(11) The <i>he</i> decentralised IT	

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	should be comprised of the back-end systems of Member States and the Union agencies and bodies, and interoperable access points, through which they are interconnected. The access points of the decentralised IT system should be based on e-CODEX.	should be comprised of the back-end systems of Member States and the <u>relevant</u> Union agencies and bodies, and interoperable access points, through which they are interconnected <u>linked using fully secure interconnections</u> . The access points of the decentralised IT system should be based on e-CODEX.	system should be comprised of the back-end systems of Member States and the Union agencies and bodies, and interoperable access points, through which they are interconnected. The access points of the decentralised IT system should be based on e-CODEX.	
Recital 12				
20	(12) For the purposes of this Regulation, Member States should be able to use instead of a national IT system, a Commission-developed software (reference	(12) For the purposes of this Regulation, Member States should be able to use instead of a national IT system, a Commission-developed software (reference	(12) For the purposes of this Regulation, Member States should be able to use instead of a national IT system, a Commission-developed software could use a	

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	<p>implementation software). The Commission should be responsible for the creation, maintenance and development of this reference implementation software in accordance with the principles of data protection by design and by default. The Commission should design, develop and maintain the reference implementation software in compliance with the data protection requirements and principles laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and Regulation (EU) 2016/679 of the European Parliament and of the Council², in particular the principles of data protection by design and by default as well as high level of cybersecurity. The</p>	<p>implementation software). The Commission should be responsible for the creation, maintenance, accessibility and development of this reference implementation software in accordance with the principles of data protection by design and by default. The Commission should design, develop and maintain the reference implementation software in compliance with the data protection requirements and principles laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and Regulation (EU) 2016/679³⁴, Regulation (EU) 2016/679 of the European Parliament and of the Council³⁵ and Directive (EU) 2016/680 of the European</p>	<p>software developed by the Commission (reference implementation software). The Commission should be responsible for the creation, maintenance and development of instead of a national IT system. This reference implementation software in accordance with the principles of data protection by design and by default. The Commission should design, develop and maintain the reference implementation should be based on a modular setup, meaning that the software in compliance with the data protection requirements and principles laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and Regulation (EU) 2016/679 of the</p>	

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	<p>reference implementation software should also include appropriate technical measures and enable the organisational measures necessary for ensuring a level of security and interoperability which is appropriate for the exchange of information in the context of cross-border judicial procedures.</p> <p>_____</p> <p>1. 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</p>	<p>Parliament and of the Council^{1-35a}, in particular the principles of data protection by design and by default as well as high level of cybersecurity. <u>In particular, any natural or legal persons that take part in creating, maintaining or developing the national IT systems or the reference implementation software should be bound by these requirements and principles.</u> The reference implementation software should also include<u>implement</u> appropriate technical measures and enable the organisational measures necessary for ensuring a <u>high</u> level of security and interoperability which is appropriate for the exchange of information in the context of cross-border judicial procedures. <u>While the judiciary in</u></p>	<p>European Parliament and of the Council², in particular the principles of data protection by design and by default as well as high level of cybersecurity. The reference implementation software should also include appropriate technical measures and enable the organisational measures necessary for ensuring a level of security and interoperability which is appropriate for the exchange of information in the context of cross-border judicial procedures is packaged and delivered separately from the e-CODEX components needed to connect it to the decentralised IT system. This setup should enable Member States to reuse or enhance their existing national</p>	

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	<p>data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>2. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p>	<p><u><i>Member States is not covered by the scope of Directive (EU) 2022/2555 of the European Parliament and of the Council^{35b} (NIS2), the Commission and the Member States should endeavour to put in place specific measures aimed at ensuring that the decentralised IT system encompassed by this Regulation has a comparable level of cybersecurity to what is required by NIS2.</i></u></p> <p><u><i>³⁴ 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</i></u></p>	<p>judicial communication infrastructures for the purpose of cross-border use. For matters relating to maintenance obligations, Member States could also use a software developed by the Hague Conference on Private International Law (iSupport).</p> <p>†. 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</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>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).</i></u></p> <p>³⁵ <u><i>Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</i></u></p> <p>^{35a} <u><i>Directive (EU) 2022/2555 of the European Parliament and of</i></u></p>	<p>(EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>2. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive) (OJ L 333, 27.12.2022, p. 80–152).</u></p> <p><u>^{35b} Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (OJ L 333, 27.12.2022, p. 80).</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i>1. 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).</i></p> <p><i>2. 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</i></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i>processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</i>		
20a			(12a) The Commission should be responsible for the creation, maintenance and development of this reference implementation software in accordance with the principles of data protection by design and by default. The Commission should design,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>develop and maintain the reference implementation software in compliance with the data protection requirements and principles laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council¹, Regulation (EU) 2016/679 of the European Parliament and of the Council², and Directive (EU) 2016/680 of the European Parliament and of the Council³, in particular the principles of data protection by design and by default as well as high level of cybersecurity. The reference implementation software should also include appropriate technical measures and enable the organisational measures necessary for ensuring</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>a level of security and interoperability which is appropriate for the exchange of information in the context of cross-border judicial procedures. In order to ensure interoperability with national IT systems, the reference implementation software should be able to implement the digital procedural standards, as defined in Regulation (EU) 2022/850, for the corresponding legal instruments listed in Annexes I and II.</p> <hr/> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>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>2. 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</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>(General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p> <p>3. Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			119, 4.5.2016, p. 89).	
Recital 13				
21	(13) In order to provide swift, secure and efficient assistance to applicants, written communication between competent authorities, such as courts and Central Authorities established under Council Regulation (EC) 4/2009 ¹ and Council Regulation (EU) 2019/1111 ² , should, as a rule, be carried out through the decentralised IT system. In exceptional cases, other means of communication may be used if those are found to be more	(13) In order to provide swift, secure and efficient assistance to applicants, written communication between competent authorities, such as courts and Central Authorities established under Council Regulation (EC) 4/2009 ³⁶ and Council Regulation (EU) 2019/1111 ³⁷ , should, as a rule, be carried out through the decentralised IT system. In exceptional cases, other means of communication may be used if those are found to be more	(13) In order to provide swift, secure and efficient assistance to applicants, written communication between competent authorities, such as courts and Central Authorities established under Council Regulation (EC) 4/2009 ¹ and Council Regulation (EU) 2019/1111 ² , should, as a rule, be carried out through the decentralised IT system. In exceptional cases, other means of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>appropriate for the purposes of ensuring flexibility. However, the decentralised IT system should always be considered the most appropriate means for exchanging forms between competent authorities established by the legal acts listed in Annex I and Annex II to this Regulation.</p> <p>_____</p> <p>1. Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7, 10.1.2009, p. 1–79)</p>	<p>appropriate for the purposes of ensuring flexibility. However, the decentralised IT system should always be considered the most appropriate means for exchanging forms <u>and other procedural documents</u> between <u>authorities</u> competent authorities established <u>by in proceedings under</u> the legal acts listed in Annex I and Annex II to this Regulation.</p> <p>_____</p> <p>³⁶ <u>Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7, 10.1.2009, p. 1–79)</u></p>	<p>communication may be used if those are found to be more appropriate for the purposes of ensuring flexibility. However, the decentralised IT system should always be considered the most appropriate means for exchanging forms between competent authorities established by the legal acts listed in Annex I and Annex II to this Regulation.</p> <p>_____</p> <p>1. Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7, 10.1.2009,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>2. Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (OJ L 178, 2.7.2019, p. 1).</p>	<p><u>³⁷ Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (OJ L 178, 2.7.2019, p. 1).</u></p> <hr/> <p><i>1. Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7, 10.1.2009, p. 1-79)</i></p>	<p>p. 1-79).</p> <p>2. Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (OJ L 178, 2.7.2019, p. 1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i>2. Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (OJ L 178, 2.7.2019, p. 1).</i></p>		
Recital 14				
22	(14) Transmission through the decentralised IT system could be impossible due to a disruption of the system or where the nature of what has to be transmitted makes	(14) <u>In exceptional cases, other means of communication than the decentralised IT system may be used. Electronic</u> transmission through the decentralised IT	(14) Transmission through the decentralised IT system could be impossible due to a disruption of the system or where the nature of what has to be transmitted makes	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>transmission by digital means impracticable, such as the transmission of physical/material evidence. Where the decentralised IT system is not used, communication should be carried out by the most appropriate alternative means. Such alternative means should entail, inter alia, transmission being performed as swiftly as possible and in a secure manner by other secure electronic means or by postal service.</p>	<p>system could be impossible <u>temporarily interrupted</u> due to a disruption of the system or <u>could factually be impossible</u> where the nature of what has to be transmitted makes transmission by digital means <u>the decentralised IT system</u> impracticable, such as the transmission of physical/material evidence. Where the decentralised IT system is not used, communication should be carried out by the most appropriate alternative means. Such alternative means should entail, inter alia, transmission being performed as swiftly as possible and in a secure manner by other secure electronic means or by postal service <u>or by transmission in person where such transmission is possible. In</u></p>	<p>transmission by digital means impracticable, such as the transmission of physical/material evidence or the need to transmit the original document in paper format to assess its authenticity or in exceptional circumstances, such as the conversion of voluminous documentation into electronic form, imposing a disproportionate administrative burden on the sending competent authority. Where the decentralised IT system is not used, communication should be carried out by the most appropriate alternative means. Such alternative means should entail, inter alia inter alia, transmission being performed as swiftly as possible and in a secure manner by other secure</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>these exceptional circumstances, documents submitted by means other than the decentralised IT system should not be considered inadmissible solely on that basis.</i></u>	electronic means or by postal service.	
Recital 15				
23	(15) For the purposes of ensuring the flexibility of judicial cooperation in certain cross-border judicial procedures, other means of communication could be more appropriate. In particular, this may be appropriate for direct communication between courts under Regulation (EU) 2019/1111 and Regulation (EU) 2015/848 of	(15) <u><i>The decentralised IT system should be used by default in the communication between competent authorities. However,</i></u> for the purposes of ensuring the flexibility of judicial cooperation, <u><i>other means of communication could be more appropriate</i></u> in certain cross-border judicial procedures. <u><i>The decision to use</i></u>	(15) For the purposes of ensuring the flexibility of judicial cooperation in certain cross-border judicial procedures, other means of communication could be more appropriate. In particular, this may could be appropriate for direct communication between courts under Regulation (EU) 2019/1111 and Regulation (EU) 2015/848 of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the European Parliament and the Council¹, as well as direct communication between competent authorities under the Union legal acts in criminal matters. In such cases, less formal communication means, such as e-mail, could be used.</p> <p>_____</p> <p>1. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19).</p>	<p>other means of communication could be more appropriate in <u>exceptional cases should be left to the discretion of the competent authority</u>. In particular, this may be appropriate for direct communication between courts under Regulation (EU) 2019/1111 and Regulation (EU) 2015/848 of the European Parliament and the Council⁴³⁸, as well as direct communication between competent authorities under the Union legal acts in criminal matters. In such cases, less formal communication means, such as e-mail, could be used, <u>provided they allow for the secure and reliable exchange of information. However, the decentralized IT system should always be considered the most</u></p>	<p>the European Parliament and of the Council¹, as well as direct communication between competent authorities under Council Framework Decisions 2005/214/JHA², 2006/783/JHA³, 2008/909/JHA⁴, 2008/947/JHA⁵, 2009/829/JHA⁶, Directive 2014/41/EU⁷ or Regulation (EU) 2018/1805⁸ allowing for the communication between the competent authorities to be carried out by any means or any appropriate means under the Union legal acts in criminal matters. In such cases, less formal communication means, such as e-mail, could be used. This could also be the case when the competent authorities need direct personal communication.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>appropriate means of exchanging forms and other formal procedural documents between the competent authorities established pursuant to the legal acts listed in Annex I and Annex II to this Regulation.</i></u></p> <hr/> <p>³⁸ <u><i>Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19).</i></u></p> <hr/> <p><i>1. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L</i></p>	<p>Considering that competent authorities deal with sensitive data, the aspects of security and reliability of the information exchange should always be taken into account when selecting the appropriate means of communication.</p> <hr/> <p>1. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19).</p> <p>2. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of</p>	

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		<p>141, 5.6.2015, p. 19).</p>	<p>mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16–30).</p> <p>3. Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders (OJ L 328, 24.11.2006, p. 59–78).</p> <p>4. Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>deprivation of liberty for the purpose of their enforcement in the European Union (OJ L 327, 5.12.2008, p. 27–46).</p> <p>5. Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions (OJ L 337, 16.12.2008, p. 102–122).</p> <p>6. Council Framework Decision 2009/829/JHA of 23 October 2009 on the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention (OJ L 294, 11.11.2009, p. 20–40).</p> <p>7. Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters (OJ L 130, 1.5.2014, p. 1–36).</p> <p>8. Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			November 2018 on the mutual recognition of freezing orders and confiscation orders (OJ L 303, 28.11.2018, p. 1).	
Recital 16				
24	(16) In relation to the components of the decentralised IT system, which are under the responsibility of the Union, the entity managing the system's components should have sufficient resources in order to ensure their proper functioning.	(16) In relation to the components of the decentralised IT system, which are under the responsibility of the Union, the entity managing the system's components should have sufficient resources in order to ensure their proper <u>and fully secure</u> functioning.	(16) In relation to the components of the decentralised IT system, which are under the responsibility of the Union, in accordance with Regulation (EU) 2022/850 of the European Parliament and of the Council¹ , the entity managing the system's components, should have sufficient resources in order to ensure their proper functioning.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>1. Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system) and amending Regulation (EU) 2018/1726 (OJ L 150, 1.6.2022, p. 1).</p>	
Recital 17				
25				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(17) For the purpose of facilitating access of natural and legal persons to the competent authorities, this Regulation should establish an access point at Union level (European electronic access point), as part of the decentralised IT system through which natural and legal persons should be able to file claims, launch requests, send and receive procedurally relevant information and communicate with the competent authorities, for cases covered by this Regulation. The European electronic access point should be hosted on the European e-Justice Portal, which serves as a one-stop-shop for judicial information and services in the Union.</p>	<p>(17) For the purpose of facilitating access of natural and legal persons to the competent authorities, this Regulation should establish an access point at Union level (European electronic access point), as part of the decentralised IT system through which <u>that should contain information for</u> natural and legal persons <u>on their right to legal assistance, and through which they</u> should be able to file claims, launch requests, send and receive procedurally relevant information, <u>including request and receive digitalised case files or documents therein</u>, and communicate with the competent authorities, <u>or have their legal representative do so on their behalf</u>, for cases covered by this</p>	<p>(17) For the purpose of facilitating access of natural and legal persons to the competent authorities in civil and commercial matters, this Regulation should establish an access point at Union level (European electronic access point), as part of the decentralised IT system through which natural and legal persons should be able to file claims, launch requests, send and, receive and store procedurally relevant information and communicate with the competent authorities, for cases in the instances covered by this Regulation or be served with judicial or extrajudicial documents . The European electronic access point should be hosted on the European e-Justice</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>Regulation. <u>Guaranteeing access to digitalised case files through the European electronic access point in cross-border criminal proceedings would support effective implementation of the right to a fair trial. It would facilitate the production and handling of case data, as well as, enable effective defence preparation from the early stages of a proceeding.</u> The European electronic access point should be hosted on the European e-Justice Portal, which serves as a one-stop-shop for judicial information and services in the Union.</p>	<p>Portal, which serves as a one-stop-shop for judicial information and services in the Union.</p>	
Recital 18				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
26	<p>(18) Member States should be responsible for the establishment, maintenance and development of national electronic portals (national IT portals) for the purposes of electronic communication between natural and legal persons and the respective authorities which are competent in the proceedings under the legal acts listed in Annex I.</p>	<p>(18) Member States should be responsible for the establishment, maintenance and development of national electronic portals (national IT portals) for the purposes of electronic communication between natural and legal persons, <u>and their legal or authorised representatives</u>, and the respective authorities which are competent in the proceedings under the legal acts listed in Annex I, <u>whilst fully respecting the specificities of national justice systems including the roles and responsibilities of the various actors involved, including Bars and Law Societies, and Notary Councils.</u></p>	<p>(18) Member States should be responsible for the establishment, maintenance and development of national electronic portals (national IT portals) for the purposes of electronic communication between natural and legal persons and the respective authorities which are competent in the proceedings under the legal acts listed in Annex I.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 19				
27	<p>(19) In the context of the communication in cross-border cases of natural and legal persons with competent authorities, electronic communication should be used as an alternative to the existing means of communication. Notwithstanding, to ensure that access to justice through digital means does not contribute to further widening of the digital divide, the choice of the means of communication between electronic communication, as provided by this Regulation, and other means of</p>	<p>(19) In the context of the communication in cross-border eases ofby natural and legal persons with competent authorities <u>in cross-border cases</u>, electronic communication should be used as an alternative to the existing means of communication. <u>In case of communication of legal persons with competent authorities, the use by default of electronic means should be encouraged.</u> Notwithstanding, to ensure that access to justice through digital means does not contribute to</p>	<p>(19) In the context of the communication in cross-border cases of natural and legal persons with competent authorities in civil and commercial matters, electronic communication should be used as an alternative to the existing means of communication, including national ones , without affecting how natural or legal persons communicate with their national authorities, in accordance with national law. Notwithstanding, to ensure that access to justice through digital</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>communication should be left to the discretion of the individuals concerned. This is particularly important in order to cater for the specific circumstances of disadvantaged groups and people in situation of vulnerability, such as children or older people, who may lack the requisite technical means or digital skills to access digital services.</p>	<p>further widening of the digital divide, the choice of the means of communication between electronic communication, as provided by this Regulation, and other means of communication should be left to the discretion of the individuals concerned. This is particularly important in order to cater for the specific circumstances of disadvantaged groups and people in situation of vulnerability, such as children or older people, who may lack the requisite technical means or digital skills to access digital services.</p>	<p>means does not contribute to a further widening of the digital divide, the choice of the means of communication between electronic communication, as provided by this Regulation, and other means of communication should be left to the discretion of the individuals concerned. This is particularly important in order to cater for the specific circumstances of disadvantaged groups and the case of people in situation of vulnerability specific circumstances , such as children or older people, who may those who could lack the requisite technical means or digital skills to access digital services and those with disabilities, as the Member States and the Union have</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			committed themselves to taking appropriate measures in accordance with the United Nations Convention on the Rights of Persons with Disabilities.	
Recital 20				
28	(20) In order to enhance electronic cross-border communication and transmission of documents through the decentralised IT system, the European electronic access point and national IT portals, where available, those documents should not be denied legal effect and should not be	(20) In order to enhance electronic cross-border communication and transmission of documents through the decentralised IT system, the European electronic access point and national IT portals, where available, those documents should not be denied legal effect and should not be	(20) In order to enhance electronic cross-border communication and transmission of documents through the decentralised IT system, including through the European electronic access point and national IT portals, where available, those documents should not be denied legal effect and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>considered inadmissible in the proceedings solely on the grounds that they are in electronic form. However, that principle should be without prejudice to the assessment of the legal effects or the admissibility of those documents, which may constitute evidence in accordance with national law. It should also be without prejudice to national law regarding the conversion of documents.</p>	<p>considered inadmissible in the proceedings solely on the grounds that they are in electronic form. However, that principle should be without prejudice to the assessment of the legal effects or the admissibility of those documents, which may constitute evidence in accordance with national law. It should also be without prejudice to national law regarding the conversion of documents <u>and to any requirements regarding the authenticity, accuracy, reliability, credibility and appropriate legal form of the documents or information, except with regard to the conditions related to the communication by digital means expressly introduced by this Regulation.</u></p>	<p>should not be considered inadmissible in the proceedings solely on the grounds that they are in electronic form. However, that principle should be without prejudice to the assessment of the legal effects or the admissibility of those documents, which may could constitute evidence in accordance with national law. It should also be without prejudice to national law regarding the conversion of documents.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 21				
29	<p>(21) In order to facilitate oral hearings in proceedings in civil, commercial and criminal matters with cross-border implications, this Regulation should provide for the optional use of videoconferencing or other distance communication technology for the participation of the parties in such hearings. The procedure for applying and conducting of hearings through videoconferencing or other distance communication technology should be governed by the law of the Member State</p>	<p>(21) In order to facilitate oral hearings in proceedings in civil, commercial and criminal <u>and commercial</u> matters with cross-border implications, this Regulation should provide for the optional use of videoconferencing or other distance communication technology for the participation of the parties <u>and all other persons entitled to participate under the law of the Member State in which the proceedings take place</u>, in such hearings. The procedure for applying and conducting of</p>	<p>(21) In order to facilitate oral hearings in proceedings in civil, commercial and criminal matters with cross-border implications, this Regulation should provide for the optional use of videoconferencing or other distance communication technology for the participation of the parties in such hearings, subject to the availability of the relevant technology. This Regulation does not preclude persons assisting a party and public prosecutors in civil and commercial matters to also</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>conducting the videoconference. Conducting a hearing by videoconferencing or other distance communication technology should not be refused solely based on the non-existence of national rules governing the use of distance communication technology. In such cases the most appropriate rules available under the national law, such as rules for taking of evidence, should apply mutatis mutandis.</p>	<p>hearings through <u>In proceedings in civil and commercial matters, given the optional use of the</u> videoconferencing or other distance communication technology should be governed by the law of the Member State <u>conducting the and the need to ensure appropriate procedural safeguards to the parties to the proceedings, they should have the possibility to object to such use. In case of objection, it should be for the competent authorities to allow or not the participation of parties by</u> videoconference. Conducting a hearing by videoconferencing or other distance communication technology should not be refused solely based on the non-existence of national rules governing the use</p>	<p>attend the hearing through videoconferencing or other distance communication technology, in accordance with the applicable national law. The procedure for applying initiating and conducting of hearings through videoconferencing or other distance communication technology should be governed by the law of the Member State which should conduct the videoconference. In criminal matters, the Member State conducting the hearing through videoconferencing or other distance communication technology should be understood as the Member State requesting the videoconference. Conducting a hearing by through</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>of<u>As regards criminal matters, this Regulation should make it possible for all persons who are either directly involved in or are relevant for the proceedings and located in another Member State to use videoconferencing or other</u> distance communication technology. In such cases the most appropriate rules available under the national law, such as rules for taking of evidence, should apply mutatis mutandis<u>criminal matters, it should always be possible for the suspected, accused or convicted persons not to consent to a hearing by videoconferencing or by other distance communication technology, particularly when the use of such technology raises risks to their</u></p>	<p>videoconferencing or other distance communication technology should not be refused solely based on the non-existence of national rules governing the use of distance communication technology. In such cases the most appropriate rules available under the national law, such as rules for taking of evidence, should apply mutatis mutandis. Where the recording of hearings is provided for under the national law of the Member State conducting the hearing in civil or commercial matters, the parties should be informed of this circumstance, and, where provided for, of their possibility to refuse the recordingmutatis mutandis.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>interests, including to their fundamental right of defence.</i></u>		
29a			<p>(21-a) Where a child participates in proceedings in civil or commercial matters, in particular as a party, under national law, the child could participate in the hearing through videoconferencing or other distance communication technology under this Regulation, taking into account their procedural rights. However, where the child is participating in the proceedings</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>for the purpose of taking evidence in civil or commercial matters, for example where the child is to be heard as a witness, the child could also be heard through videoconferencing or other distance communication technology in accordance with Regulation (EU) 2020/1783.</p>	
29b			<p>(21a) Where the competent authority requests the participation of a person for the purpose of taking evidence in civil or commercial matters, the participation of such person in</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>the hearing through videoconferencing or other distance communication technology should be governed by Regulation (EU) 2020/1783.</p>	
29c			<p>(21aa) This Regulation should not apply to the use of videoconferencing or other distance communication technology in civil and commercial proceedings where such use is already foreseen in certain legal acts, listed in Annex I.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
29d			<p>(21ab) The rules under this Regulation on the use of videoconferencing or other distance communication technology for hearings in judicial cooperation procedures in criminal matters should not apply to hearings through videoconferencing or other distance communication technology for the purposes of taking evidence or of holding a trial which could result in a decision on the guilt or innocence of a suspect or accused person.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>This Regulation should be without prejudice to the Directive 2014/41/EU, the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union, and to the Council Framework Decision 2002/465/JHA.</p>	
29e			<p>(21b) In order to safeguard the right to a fair trial and the rights of defence, the suspect, accused or convicted persons should give their consent on the use of videoconferencing or other</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>distance communication technology for a hearing in judicial cooperation procedures in criminal matters. Where a suspect, accused or convicted person is called to express their consent on the use of videoconferencing or other distance communication technology, this Regulation should apply taking into account the right of access to a lawyer as provided in Directive 2013/48/EU¹. The competent authority could derogate from the requirement of consent of the suspect, accused or convicted person only in exceptional circumstances when this is duly justified by the compelling reasons specified in this</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Regulation.</p> <hr/> <p>1. Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ 2013 L 294/1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
29f			<p>(21c) Where the rights of a suspect, accused, or convicted person are violated in the context of a hearing through videoconferencing or other distance communication technology, access to effective legal remedies should be guaranteed in accordance with Article 47 of the Charter of Fundamental Rights of the European Union¹. Access to effective legal remedies should also be guaranteed for affected persons other than a suspect, accused or convicted person in the context of their hearing</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>through videoconferencing or other distance communication technology in proceedings under Regulation (EU) 2018/1805 of the European Parliament and of the Council.</p> <p>_____</p> <p>1. Charter of Fundamental Rights of the European Union (OJ C 326, 26.10.2012, p. 391–407).</p>	
Recital 22				
30	(22) This Regulation should not apply to the use of	(22) This Regulation should not apply to the use of	(22) This Regulation should not apply to the use of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>videoconferencing or other distance communication technology in civil, commercial and criminal proceedings where such use is already foreseen in the legal acts, listed in Annex I and Annex II.</p>	<p>videoconferencing or other distance communication technology in civil, commercial and criminal proceedings where such use is already foreseen in the legal acts, listed in Annex I and Annex II. <u><i>This Regulation should neither apply to the use of videoconferencing nor to other distance communication technology in notarial authentication procedures, nor in domestic judicial proceedings.</i></u></p>	<p>videoconferencing or other distance communication technology in civil, commercial and criminal proceedings where such use is already foreseen in the legal acts, listed in Annex I and Annex II.</p>	
Recital 23				
31	(23) The Regulation (EU) No 910/2014 of the European	(23) The Regulation (EU) No 910/2014 of the European	(23) The Regulation (EU) No 910/2014 of the European	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Parliament and of the Council¹ sets up a common Union regulatory framework for recognition of electronic identification means and electronic trust services (electronic signatures, electronic seals, time stamps, electronic delivery services and website authentication) that are recognised across borders as having the same legal status as their physical equivalents. Therefore, this Regulation should apply the e-IDAS trust services for the purposes of digital communication.</p> <p>_____</p> <p>1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic</p>	<p>Parliament and of the Council¹ sets up a common Union regulatory framework for recognition of electronic identification means and electronic trust services (electronic signatures, electronic seals, time stamps, electronic delivery services and website authentication) that are recognised across borders as having the same legal status as their physical equivalents. Therefore, this Regulation should apply the e-IDAS trust services for the purposes of digital communication.</p> <p>_____</p> <p>1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic</p>	<p>Parliament and of the Council¹ sets up a common Union regulatory framework for recognition of electronic identification means and electronic trust services (electronic signatures, electronic seals, time stamps, electronic delivery services and website authentication) that are recognised across borders as having the same legal status as their physical equivalents. Therefore, this Regulation should apply the e-IDAS trust services for the purposes of digital communication.</p> <p>_____</p> <p>1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).	identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).	identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).	
31a			(23a) Where a document transmitted as part of the electronic communication under this Regulation requires a seal or signature, a qualified electronic seal or signature as defined in Regulation (EU) No 910/2014 should be used by competent authorities and a qualified electronic signature or electronic	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>identification should be used by natural or legal persons. However, this Regulation should not affect the formal requirements applicable to documents produced in support of a request, which could be digital originals or certified copies. It should also be without prejudice to national law regarding the conversion of documents.</p>	
Recital 24				
32	(24) For the purposes of facilitating payment of fees in cases with cross-border	(24) For the purposes of facilitating payment of fees in cases with cross-border	(24) For the purposes of facilitating payment of fees in cases with cross-border	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>implications falling under the scope of the Union legal acts in civil and commercial matters, electronic payment of fees should be possible in an online environment by payment methods widely available throughout the Union, such as credit cards, debit cards, e-wallet and bank transfers.</p>	<p>implications falling under the scope of the Union legal acts in civil and commercial matters, electronic payment of fees should be possible in an online environment by <u>accessible</u> payment methods widely available throughout the Union <u>and enabling proof of payment to be provided</u>, such as credit cards, debit cards, e-wallet and bank transfers.</p>	<p>implications falling under the scope of the Union legal acts in civil and commercial matters, electronic payment of fees should be possible in an online environment by payment methods widely available throughout the Union, such as credit cards, debit cards, e-wallet and bank transfers should be possible in an online environment and accessible through the European electronic access point.</p>	
Recital 25				
33	(25) It is necessary, for the purposes of ensuring the full	(25) It is necessary, for the purposes of ensuring the full	(25) It is necessary, for the purposes of ensuring the full	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>attainment of the objectives of this Regulation and for the alignment of the existing Union legal acts in civil, commercial and criminal matters with this Regulation, that amendments are introduced in the following legal acts: Regulation (EC) No 1896/2006 of the European Parliament and of the Council¹, Regulation (EC) No 861/2007 of the European Parliament and of the Council², Regulation (EU) No 655/2014 of the European Parliament and of the Council³, Regulation (EU) 2015/848 and Regulation (EU) 2018/1805 of the European Parliament and of the Council⁴. Those amendments seek to ensure that communication takes place in accordance with the rules and</p>	<p>attainment of the objectives of this Regulation and for the alignment of the existing Union legal acts in civil, commercial and criminal matters with this Regulation, that amendments are introduced in the following legal acts: Regulation (EC) No 1896/2006 of the European Parliament and of the Council¹, Regulation (EC) No 861/2007 of the European Parliament and of the Council², Regulation (EU) No 655/2014 of the European Parliament and of the Council³, Regulation (EU) 2015/848 and Regulation (EU) 2018/1805 of the European Parliament and of the Council⁴. Those amendments seek to ensure that communication takes place in accordance with the rules and</p>	<p>attainment of the objectives of this Regulation and for the alignment of the existing Union legal acts in civil, commercial and criminal matters with this Regulation, that amendments are introduced in the following legal acts: Regulation (EC) No 1896/2006 of the European Parliament and of the Council¹, Regulation (EC) No 861/2007 of the European Parliament and of the Council², Regulation (EU) No 606/2013 of the European Parliament and of the Council³, Regulation (EU) No 655/2014 of the European Parliament and of the Council³⁴, Regulation (EU) 2015/848 and Regulation (EU) 2018/1805 of the European Parliament and of the Council⁴⁵. Those amendments seek</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>principles set out in this regulation. Amendments to Directives and Framework Decisions in civil, commercial and criminal matters are enacted in a Directive of the European Parliament and the Council .../... [Amending Directive]⁵.</p> <p>_____</p> <p>1. Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ L 399, 30.12.2006, p. 1).</p> <p>2. Regulation (EC) No 861/2007 of the European Parliament and</p>	<p>principles set out in this regulation. Amendments to Directives and Framework Decisions in civil, commercial and criminal matters are enacted in a Directive of the European Parliament and the Council .../... [Amending Directive]⁵.</p> <p>_____</p> <p>1. Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ L 399, 30.12.2006, p. 1).</p> <p>2. Regulation (EC) No 861/2007 of the European Parliament and</p>	<p>to ensure that communication takes place in accordance with the rules and principles set out in this regulation. Amendments to Directives and Framework Decisions in civil, commercial and criminal matters are enacted in a Directive of the European Parliament and the Council .../... [Amending Directive]⁵⁶.</p> <p>_____</p> <p>1. Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ L 399, 30.12.2006, p. 1).</p> <p>2. Regulation (EC) No 861/2007</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of the Council of 11 July 2007 establishing a European Small Claims Procedure (OJ L 199, 31.7.2007, p.1).</p> <p>3. Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters (OJ L 189, 27.6.2014, p. 59).</p> <p>4. Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and</p>	<p>of the Council of 11 July 2007 establishing a European Small Claims Procedure (OJ L 199, 31.7.2007, p.1).</p> <p>3. Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters (OJ L 189, 27.6.2014, p. 59).</p> <p>4. Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and</p>	<p>of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure (OJ L 199, 31.7.2007, p.1).</p> <p>3. Regulation (EU) No 655/2014 606/2013 of the European Parliament and of the Council of 15 May 2014 12 June 2013 on mutual recognition of protection measures in civil and commercial matters (OJ L 189, 27.6.2014, p. 59) 181, 29.6.2013, p. 4.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>confiscation orders (OJ L 303, 28.11.2018, p. 1).</p> <p>5. * DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on amending Council Directive 2003/8/EC, Council Framework Decisions 2002/465/JHA, 2002/584/JHA, 2003/577/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA, 2008/947/JHA, 2009/829/JHA and 2009/948/JHA, and Directive 2014/41/EU of the European Parliament and of the Council, as regards digitalisation of judicial cooperation.</p>	<p>confiscation orders (OJ L 303, 28.11.2018, p. 1).</p> <p>5. * DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on amending Council Directive 2003/8/EC, Council Framework Decisions 2002/465/JHA, 2002/584/JHA, 2003/577/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA, 2008/947/JHA, 2009/829/JHA and 2009/948/JHA, and Directive 2014/41/EU of the European Parliament and of the Council, as regards digitalisation of judicial cooperation.</p>	<p>4. Regulation (EU) 2018/1805 No 655/2014 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders (OJ L 303, 28.11.2018, p. 1) 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters (OJ L 189, 27.6.2014, p. 59).</p> <p>5. * DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on amending Regulation (EU)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>2018/1805 of the European Parliament and of the Council Directive 2003/8/EC, Council Framework Decisions 2002/465/JHA, 2002/584/JHA, 2003/577/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA, 2008/947/JHA, 2009/829/JHA and 2009/948/JHA, and Directive 2014/41/EU of the European Parliament and of the Council, as regards digitalisation of judicial cooperation of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders (OJ L 303, 28.11.2018, p. 1).</p> <p>6. Directive of the European</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Parliament and of the Council on amending Council Directive 2003/8/EC, Council Framework Decisions 2002/465/JHA, 2002/584/JHA, 2003/577/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA, 2008/947/JHA, 2009/829/JHA and 2009/948/JHA, Directive Directives 2011/99/EU and Directive 2014/41/EU of the European Parliament and of the Council, as regards digitalisation of judicial cooperation.</p>	
Recital 26				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
34	<p>(26) In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹, the Commission should evaluate this Regulation on the basis of the information collected through specific monitoring arrangements for each of the legal acts, listed in Annexes I and II to this Regulation in order to assess the actual effects of this Regulation and the need for any further action.</p> <p>_____</p> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the</p>	<p>(26) In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 13 April 2016 on Better Law-Making⁴⁵, the Commission should evaluate this Regulation on the basis of the information collected through specific monitoring arrangements, <u>including quantitative and qualitative assessments</u> for each of the legal acts, listed in Annexes I and II to this Regulation in order to assess the actual effects of this Regulation <u>on the ground, particularly to detect, prevent or rectify the impact on the legality, accessibility, and effectiveness of justice systems,</u> and the need for</p>	<p>(26) In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 13 April 2016 on Better Law-Making¹, the Commission should evaluate this Regulation on the basis of the information collected through specific monitoring arrangements for each of the legal acts, listed in Annexes I and II to this Regulation in order to assess the actual effects of this Regulation and the need for any further action.</p> <p>_____</p> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1–14).</p>	<p>any further action.</p> <p><u>45 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1–14).</u></p> <p><i>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1–14).</i></p>	<p>European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1–14).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 27				
35	<p>(27) The reference implementation software developed by the Commission as a back-end system should programmatically collect the data necessary for monitoring purposes and such data should be transmitted to the Commission.</p> <p>Where Member States choose to use a national IT system instead of the reference implementation software developed by the Commission, such a system may be equipped to programmatically collect those data and, in that case, those data should be transmitted to</p>	<p>(27) The reference implementation software developed by the Commission as a back-end system should programmatically collect the data necessary for monitoring purposes and such data should be transmitted to the Commission.</p> <p>Where Member States choose to use a national IT system instead of the reference implementation software developed by the Commission, such a system mayshould be equipped to programmatically collect those data and, in that case, those data</p>	<p>(27) The reference implementation software developed by the Commission as a back-end system should programmatically collect the data necessary for monitoring purposes and such data should be transmitted to the Commission.</p> <p>Where Member States choose to use a national IT system instead of the reference implementation software developed by the Commission, such a system maycould be equipped to programmatically collect those data and, in that case, those data</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Commission.	should be transmitted to the Commission.	should be transmitted to the Commission. The e-CODEX connector could also be equipped with a feature allowing retrieval of relevant statistical data.	
Recital 28				
36	(28) In such cases where data cannot be collected automatically, and for the purpose of alleviating the administrative burden of data collection, each Member State should designate at least one court or competent authority for the purpose of establishing a monitoring sample. The court or competent authority designated in	(28) In such cases where data cannot be collected automatically, and for the purpose of alleviating the administrative burden of data collection, each Member State should designate at least one court or competent authority for the purpose of establishing a monitoring sample. The court or competent authority designated in	(28) In cases where data on the number of hearings such cases where data videoconferencing was used cannot be collected automatically, and for the purpose of alleviating the limiting the additional administrative burden of data collection, each Member State should designate at least one court or competent authority for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>this way should be tasked with collecting and providing the Commission with data on its own proceedings which should serve to provide an estimate on the level of a given Member State of the data necessary for the evaluation of this Regulation. The designated court or competent authority should be representative of the scope of the Regulation insofar as the Regulation covers Union instruments in civil, commercial and criminal matters. In areas where authorities other than courts or prosecutors are considered as competent authorities within the meaning of this Regulation, such as notaries, the designated monitoring sample should be representative of their implementation of the</p>	<p>this way should be tasked with collecting and providing the Commission with data on its own proceedings which should serve to provide an estimate on the level of a given Member State of the data necessary for the evaluation of this Regulation. The designated court or competent authority should be representative of the scope of the Regulation insofar as the Regulation covers Union instruments in civil, commercial and criminal matters. In areas where authorities other than courts or prosecutors are considered as competent authorities within the meaning of this Regulation, such as notaries, the designated monitoring sample should be representative of their implementation of the</p>	<p>the purpose of establishing a monitoring sample. The court or competent authority designated in this way should be tasked with collecting and providing the Commission with such data on its own proceedings hearings which should serve to provide an estimate on the level of a given Member State of the data necessary for the evaluation of this Regulation. The designated court or competent authority should be representative of the scope of the Regulation insofar as the competent to conduct hearings through videoconference in accordance with this Regulation covers Union instruments in civil, commercial and criminal matters. In areas where authorities other than courts</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation as well.	Regulation as well.	or prosecutors are considered as competent authorities within the meaning of this Regulation, such as notaries, the designated monitoring sample should be representative of their implementation of the Regulation as well.	
Recital 29				
37	(29) The application of this Regulation should be without prejudice to procedural rights as enshrined in the Charter of Fundamental Rights of the European Union ¹ and Union law, such as the procedural rights directives ² , and in particular to the	(29) The application of this Regulation should be without prejudice to <u>the separation of powers and the independence of the judiciary in the Member States, as well as to</u> procedural rights as enshrined in the Charter of Fundamental Rights of the	(29) The application of this Regulation should be without prejudice to procedural rights as enshrined in the Charter of Fundamental Rights of the European Union ¹ and Union law, such as the procedural rights directives ² , and in particular to the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>right to an interpreter, the right of access to a lawyer, the right of access to the case file, the right to legal aid, and the right to be present at the trial.</p> <p>_____</p> <p>1. Charter of Fundamental Rights of the European Union (OJ C 326, 26.10.2012, p. 391–407).</p> <p>2. Directive 2010/64/EU of the European Parliament and of the Council of 22 May 2012 on the right to interpretation and translation in criminal proceedings (OJ 2010 L 280/1) Directive 2012/13/EU of the European Parliament and of the</p>	<p>European Union⁴⁶ and Union law, such as the procedural rights directives⁴⁷, and in particular to the right to an interpreter, the right of access to a lawyer, the right of access to the case file, the right to legal aid, and the right to be present at the trial.</p> <p>_____</p> <p><u>46 Charter of Fundamental Rights of the European Union (OJ C 326, 26.10.2012, p. 391–407).</u></p> <p><u>47 Directive 2010/64/EU of the European Parliament and of the Council of 22 May 2012 on the right to interpretation and translation in criminal proceedings (OJ 2010 L 280/1)</u></p>	<p>right to an interpreter, the right of access to a lawyer, the right of access to the case file, the right to legal aid, and the right to be present at the trial.</p> <p>_____</p> <p>1. Charter of Fundamental Rights of the European Union (OJ C 326, 26.10.2012, p. 391–407).</p> <p>2. Directive 2010/64/EU of the European Parliament and of the Council of 22 May 2012 on the right to interpretation and translation in criminal proceedings (OJ 2010 L 280/1); Directive 2012/13/EU of the European Parliament and of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Council of 22 May 2012 on the right to information in criminal proceedings (OJ 2012 L 142/1); Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ 2013 L 294/1); Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the</p>	<p><u>Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (OJ 2012 L 142/1);</u> <u>Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ 2013 L 294/1);</u> <u>Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain</u></p>	<p>Council of 22 May 2012 on the right to information in criminal proceedings (OJ 2012 L 142/1); Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ 2013 L 294/1); Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (OJ 2016 L 65/1);- Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ 2016 L 132/1); Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings (OJ</p>	<p><u>aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (OJ 2016 L 65/1);- Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ 2016 L 132/1); Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings (OJ L 297, 4.11.2016).</u></p>	<p>strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (OJ 2016 L 65/1);- Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ 2016 L 132/1); Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings (OJ</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	L 297, 4.11.2016).	<hr/> <p><i>1. Charter of Fundamental Rights of the European Union (OJ C 326, 26.10.2012, p. 391-407).</i></p> <p><i>2. Directive 2010/64/EU of the European Parliament and of the Council of 22 May 2012 on the right to interpretation and translation in criminal proceedings (OJ 2010 L 280/1)</i></p> <p><i>Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (OJ 2012 L 142/1);</i></p> <p><i>Directive 2013/48/EU of the European Parliament and of the</i></p>	L 297, 4.11.2016).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i>Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ 2013 L 294/1); Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (OJ 2016 L 65/1); Directive</i></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i>(EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ 2016 L 132/1); Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings (OJ L 297, 4.11.2016).</i></p>		
Recital 30				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
38	<p>(30) Regulation (EU) 2016/679 of the European Parliament and the Council and Directive (EU) 2016/680¹ of the European Parliament and the Council, apply to the processing of personal data carried out in the decentralised IT system. In order to clarify the responsibility for the processing of personal data sent or received through the decentralised IT system, this Regulation should indicate the controller of the personal data. For this purpose, each sending or receiving entity should be regarded as having determined the purpose and means of the personal data processing separately.</p>	<p>(30) <u>Regulation (EU) 2018/1725</u>, Regulation (EU) 2016/679 of the European Parliament and the Council and Directive (EU) 2016/680⁴⁸ of the European Parliament and the Council, apply to the processing of personal data carried out in the decentralised IT system. In order to clarify the responsibility for the processing of personal data sent or received through the decentralised IT system, this Regulation should indicate the controller of the personal data. For this purpose, each sending or receiving entity should be regarded as having determined the purpose and means of the personal data processing</p>	<p>(30) Regulation (EU) 2016/679 of the European Parliament and the Council and , Directive (EU) 2016/680¹ of the European Parliament and the Council and Regulation (EU) 2018/1725 of the Parliament and of the Council², apply to the processing of personal data carried out in the decentralised IT system. In order to clarify the responsibility for the processing of personal data sent or received through the decentralised IT system, this Regulation should indicate the controller of the personal data. For this purpose, each sending or receiving entity should be regarded as having determined the purpose and means</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>_____</p> <p>1. Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).</p>	<p>separately.</p> <p>_____</p> <p>⁴⁸ <u>Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).</u></p> <p>_____</p> <p>1. Directive (EU) 2016/680 of</p>	<p>of the personal data processing separately.</p> <p>_____</p> <p>1. Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).</p>	<p>4.5.2016, p. 89).</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. 39–98).</p>	
Recital 31				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
39	<p>(31) In order to ensure uniform conditions for the implementation of this Regulation as regards the establishment of the decentralised IT system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</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</p>	<p>(31) In order to ensure uniform conditions for the implementation of this Regulation as regards the establishment <u>establish the decentralised IT system, the power to adopt acts in accordance with Article 290 of the decentralised IT system, implementing powers Treaty on the Functioning of the European Union</u> should be conferred on <u>delegated to</u> the Commission <u>to supplement this Regulation by setting out the relevant specifications, objectives and related technical requirements. It is of particular importance that the Commission carry out appropriate consultations during its</u></p>	<p>(31) In order to ensure uniform conditions for the implementation of this Regulation as regards the establishment of the decentralised IT system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. The implementing acts should enable Member States to adapt their relevant national IT systems for connecting to the decentralised IT system.</p> <p>_____</p> <p>1. Regulation (EU) No 182/2011 of the European</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>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><u>preparatory work, including at expert level, and that those consultations be conducted.</u> Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of <u>the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making^{49a}. In particular, to ensure equal participation in the preparation of delegated acts,</u> the European Parliament and <u>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. The adoption of these delegated acts should be based on a proper</u></p>	<p>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>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>consultation of the relevant experts and legal practitioners.</u></p> <p>_____</p> <p>^{49a} <u>OJ L 123, 12.5.2016, p. of the Council¹. I.</u></p> <p>_____</p> <p><i>I. 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).</i></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 32				
40	(32) Since harmonised digitalisation of cross-border judicial cooperation cannot be sufficiently achieved by the Member States acting alone, for reasons such as no guarantee as to the interoperability of IT systems of Member States and Union agencies and bodies, but can rather, by reason of coordinated Union action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of	(32) Since harmonised digitalisation of cross-border judicial cooperation cannot be sufficiently achieved by the Member States acting alone, for reasons such as no guarantee as to the interoperability of IT systems of Member States and Union agencies and bodies, but can rather, by reason of coordinated Union action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of	(32) Since harmonised digitalisation of cross-border judicial cooperation cannot be sufficiently achieved by the Member States acting alone, for reasons such as no guarantee as to the interoperability of IT systems of Member States and Union agencies and bodies, but can rather, by reason of coordinated Union action, be better achieved at Union level, the Union may could adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	
Recital 33				
41	(33) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	(33) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	(33) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	(33) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Recital 34, first subparagraph				
42	(34) [In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by	(34) [In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by	(34) {In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by	

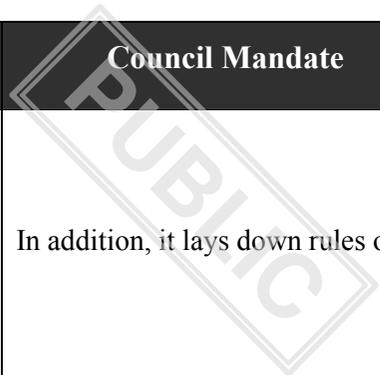
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	it or subject to its application.]	it or subject to its application.]	it or subject to its application.}]	
Recital 34, second subparagraph				
43	OR	OR	OR	
Recital 34, third subparagraph				
44	In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the	In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the	In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Functioning of the European Union, Ireland has notified [, by letter of ...] its wish to take part in the adoption and application of this Regulation.	Functioning of the European Union, Ireland has notified [, by letter of ...] its wish to take part in the adoption and application of this Regulation.	Functioning of the European Union, Ireland has notified [, by letter of ...] its wish to take part in the adoption and application of this Regulation.	
Recital 35				
45	(35) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EC) No 2018/1725 of the European Parliament and of the Council and delivered an opinion on [...],	(35) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EC) No 2018/1725 of the European Parliament and of the Council and delivered an opinion on [...],	(35) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EC) No 2018/1725 of the European Parliament and of the Council and delivered an opinion on [...] ²⁵ January 2022,	(35) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EC) No 2018/1725 of the European Parliament and of the Council and delivered an opinion on [...] ²⁵ <u>January 2022,</u>

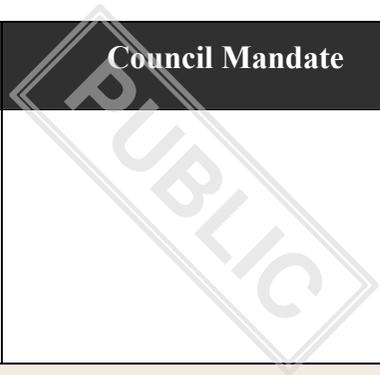
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
Formula				
46	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION: Text Origin: Commission Proposal
CHAPTER I				
47				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS Text Origin: Commission Proposal
Article 1				
48	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1(1), first subparagraph				
49	<p>1. This Regulation establishes a legal framework for electronic communication between competent authorities in judicial cooperation procedures in civil, commercial and criminal matters and for electronic communication between natural or legal persons and competent authorities in judicial procedures in civil and commercial and criminal matters.</p>	<p>1. This Regulation establishes a <u>uniform</u> legal framework for <u>the use of</u> electronic communication between competent authorities in judicial cooperation procedures in civil, commercial and criminal matters and for <u>the use of</u> electronic communication between natural or legal persons and competent authorities in judicial procedures in civil and commercial and criminal matters.</p>	<p>1. This Regulation establishes a legal framework for electronic communication between competent authorities in judicial cooperation procedures in civil, commercial and criminal matters and for electronic communication between natural or legal persons and competent authorities in judicial procedures in civil and commercial and criminal matters.</p>	
Article 1(1), second subparagraph				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
50	In addition, it lays down rules on:	In addition, it lays down rules on:	In addition, it lays down rules on:	In addition, it lays down rules on: Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (a)				
51	(a) the use of videoconferencing or other distance communication technology for purposes other than taking of evidence under Regulation (EU) 2020/1783;	(a) the use of videoconferencing or other distance communication technology for purposes other than taking of evidence under Regulation (EU) 2020/1783;	(a) the use of videoconferencing or other distance communication technology for purposes other than taking of evidence under Regulation (EU) 2020/1783;	(a) the use of videoconferencing or other distance communication technology for purposes other than taking of evidence under Regulation (EU) 2020/1783;



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (b)				
52	(b) the application of electronic trust services;	(b) the application of electronic trust services <u>signatures and seals</u> ;	(b) the application of electronic trust services;	
Article 1(1), second subparagraph, point (c)				
53	(c) the legal effects of electronic documents;	(c) the legal effects of electronic documents;	(c) the legal effects of electronic documents;	(c) the legal effects of electronic documents;



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (d)				
54	(d) electronic payment of fees.	(d) electronic payment of fees.	(d) electronic payment of fees.	(d) electronic payment of fees. Text Origin: Commission Proposal
Article 1(2)				
55	2. This Regulation shall apply to:	2. This Regulation shall apply to:	2. This Regulation shall apply to:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>electronic communication in judicial cooperation procedures in civil, commercial and criminal matters, as specified in Articles 3 and 4, and hearing through videoconferencing or other means of distance communication technology in civil, commercial and criminal matters, as specified in Articles 7 and 8.</p>	
Article 1(2), point (a)				
56	(a) electronic communication between competent authorities in the context of the legal acts listed in Annex I and Annex II;	(a) electronic communication between competent authorities in the context of the legal acts listed in Annex I and Annex II;	(a) electronic communication between competent authorities in the context of the legal acts listed in Annex I and Annex II;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1(2), point (b)				
57	(b) electronic communication between natural or legal persons and competent authorities, and electronic payment of fees in cross-border civil and commercial matters, in the context of the legal acts listed in Annex I; and	(b) electronic communication between natural or legal persons and competent authorities, and electronic payment of fees in cross-border civil and commercial matters, in the context of the legal acts listed in Annex I; and	(b) electronic communication between natural or legal persons and competent authorities, and electronic payment of fees in cross-border civil and commercial matters, in the context of the legal acts listed in Annex I; and	
Article 1(2), point (c)				
58	(c) videoconferencing in proceedings falling under the scope	(c) videoconferencing in proceedings falling under the scope	(c) videoconferencing in proceedings falling under the scope	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the legal acts listed in Annex I and Annex II or in other civil and commercial matters, where one of the parties is present in another Member State.	of the legal acts listed in Annex I and Annex II or in other civil and commercial matters, where one of the parties is present in another Member State.	of the legal acts listed in Annex I and Annex II or in other civil and commercial matters, where one of the parties is present in another Member State.	
Article 2				
59	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph				
60	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:	For the purposes of this Regulation, the following definitions apply: Text Origin: Commission Proposal
Article 2, first paragraph, point (1)				
61	(1) “competent authorities” means courts, public prosecutors, Union agencies and bodies and other authorities taking part in judicial	(1) “competent authorities” means courts, public prosecutors, Union agencies and bodies and other authorities taking part in judicial	(1) " <i>competent authorities</i> competent authorities" means courts, public prosecutors' offices, central authorities and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	cooperation procedures in accordance with the provisions of the legal acts listed in Annex I and Annex II;	cooperation procedures in accordance with the provisions of the legal acts listed in Annex I and Annex II;	other competent authorities as defined in and, designated or notified in accordance with the legal acts listed in Annexes I and II, as well as Union agencies and bodies Union agencies and bodies and other authorities taking part in judicial cooperation procedures in accordance with the provisions of the legal acts listed in Annex I and Annex III . For the purposes of Articles 7 and 8 of this Regulation, competent authority also means any court or other authority competent under national or Union law to conduct hearings through videoconferencing or other distance communication technology in civil, commercial or criminal matters;	

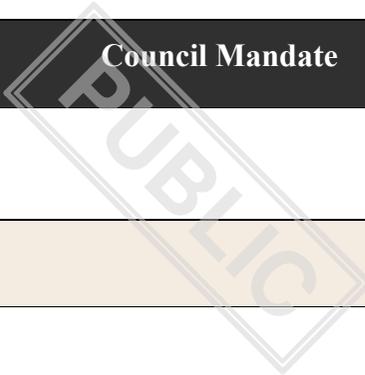
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (2)				
62	(2) “electronic communication” means digital exchange of information over the internet or another electronic communication network;	(2) “electronic communication” means digital exchange of information over the internet or another electronic communication network;	(2) " electronic communication " means digital exchange of information over the internet or another electronic communication network;	(2) “electronic communication” means digital exchange of information over the internet or another electronic communication network; Text Origin: Commission Proposal
Article 2, first paragraph, point (3)				
63				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(3) “electronic document” means a document transmitted as part of electronic communication, including scanned paper documents;	(3) “electronic document” means a document transmitted as part of electronic communication, including scanned paper documents;	(3) “electronic document” means a document transmitted as part of electronic communication, including scanned paper documents;	
Article 2, first paragraph, point (4)				
64	(4) “decentralised IT system” means a network of IT systems and interoperable access points, operating under the individual responsibility and management of each Member State, Union agency or body that enables the secure and reliable cross-border exchange of information;	(4) “decentralised IT system” means a network of IT systems and interoperable access points, operating under the individual responsibility and management of each Member State, Union agency or body that enables the secure and reliable cross-border exchange of information;	(4) (3) “ <i>decentralised IT system</i> ” means a network of IT systems and interoperable access points, operating under the individual responsibility and management of each Member State, Union agency or body that enables the secure and reliable cross-border exchange of	(4) “decentralised IT system” means a network of IT systems and interoperable access points, operating under the individual responsibility and management of each Member State, Union agency or body that enables the secure and reliable cross-border exchange of information;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			information;	Text Origin: Commission Proposal
Article 2, first paragraph, point (5)				
65	(5) “European electronic access point” means an interoperable access point in the context of the decentralised IT system, which is accessible to natural and legal persons throughout the Union;	(5) “European electronic access point” means an interoperable access point in the context of the decentralised IT system, which is accessible to natural and legal persons throughout the Union;	(5) (4) " <i>European electronic access point</i> " means European electronic access point a portal which is accessible to natural and legal persons or their representatives throughout the Union, connected to an interoperable access point in the context of the decentralised IT system an interoperable access point in the context of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			decentralised IT system, which is accessible to natural and legal persons throughout the Union;	
Article 2, first paragraph, point (6)				
66	(6) “fees” means payments levied by competent authorities in the context of the proceedings under the legal acts listed in Annex I.	(6) “fees” means payments levied by competent authorities in the context of the proceedings under the legal acts listed in Annex I.	(6) (5) " <i>fees</i> " means payments levied by competent authorities in the context of the proceedings under the legal acts listed in Annex I.	(6) “fees” means payments levied by competent authorities in the context of the proceedings under the legal acts listed in Annex I. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
66a		<u>(6a) "videoconferencing" means using audiovisual transmission technology tools enabling the remote participation of persons in a cross-border judicial procedure.</u>		
CHAPTER II				
67	CHAPTER II COMMUNICATION BETWEEN COMPETENT AUTHORITIES	CHAPTER II COMMUNICATION BETWEEN COMPETENT AUTHORITIES	CHAPTER II COMMUNICATION BETWEEN COMPETENT AUTHORITIES	CHAPTER II COMMUNICATION BETWEEN COMPETENT AUTHORITIES Text Origin: Commission Proposal



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3				
68	Article 3 Means of communication between competent authorities	Article 3 Means of communication between competent authorities	Article 3 Means of communication between competent authorities	Article 3 Means of communication between competent authorities Text Origin: Commission Proposal
Article 3(1)				
69	1. Written communication	1. Written communication	1. Written Communication	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	between competent authorities in cases falling under the scope of the legal acts listed in Annex I and Annex II, including the exchange of forms established by these acts, shall be carried out through a secure and reliable decentralised IT system.	between competent authorities in cases falling under the scope of the legal acts listed in Annex I and Annex II, including the exchange of forms established by these acts, shall be carried out through a secure, <i>efficient</i> and reliable decentralised IT system.	between competent authorities in cases falling under the scope of of different Member States pursuant to the legal acts listed in Annex Annexes I and II or between a national competent authority and a Union agency or body pursuant to the legal acts listed in Annex II , including the exchange of forms established by these acts, shall be carried out through a secure and reliable decentralised IT system.	
Article 3(2)				
70	2. Where electronic communication in accordance with	2. Where electronic communication in accordance with	2. Where electronic communication in accordance with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>paragraph 1 is not possible due to the disruption of the decentralised IT system, the nature of the transmitted material or exceptional circumstances, the transmission shall be carried out by the swiftest, most appropriate alternative means, taking into account the need to ensure a secure and reliable exchange of information.</p>	<p>paragraph 1 is not possible due to the <u>temporary</u> disruption of the decentralised IT system, <u>or due to the physical</u> the nature of the transmitted material or exceptional circumstances, the transmission shall be carried out, <u>based on the assessment of the competent authority</u>, by the swiftest, most appropriate alternative means, taking into account the need to ensure <u>while ensuring</u> a secure and reliable exchange of information.</p>	<p>paragraph 1 is not possible due to the disruption of the decentralised IT system, the nature of the transmitted material or exceptional circumstances, the transmission shall be carried out by the swiftest, most appropriate alternative means, taking into account the need to ensure a secure and reliable exchange of information.</p>	
Article 3(3)				
71	<p>3. Where the use of the decentralised IT system is not</p>	<p>3. <u>In addition to the exceptions referred to in paragraph 2</u>, where</p>	<p>3. Where the use of the decentralised IT system is not</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	appropriate in view of the specific circumstances of the communication in question, any other means of communication may be used.	<u>due to the nature of the communication in question</u> , the use of the decentralised IT system is not appropriate in view of the specific circumstances of the <u>given case, the competent authority may exceptionally use other means of</u> communication in question, any other means of communication may be used <u>that ensure that the exchange of information occurs in a secure and reliable manner.</u>	appropriate in view of the specific circumstances of the communication in question, any other means of communication may be used.	
71a		<u>3a. Documents submitted by means other than the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>decentralised IT system, in accordance with paragraphs 2 and 3 shall not be considered inadmissible solely on that basis.</i></u>		
Article 3(4)				
72	4. Paragraph 3 of this Article shall not apply to the exchange of forms provided by the instruments listed in Annex I and Annex II.	4. Paragraph 3 of this Article shall not apply to the exchange of forms <u><i>or other formal procedural documents</i></u> provided by the instruments listed in Annex I and Annex II.	4. Paragraph 3 of this Article shall not apply to the exchange of forms provided by the instruments listed in Annex Annexes I and II. In cases where the competent authorities of different Member States are present at the same location in a Member State for the purpose of assisting in the execution of judicial cooperation procedures under the legal acts	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			listed in Annex II, they may exchange the forms through other appropriate means.	
72a		<u>4a. Requirements under applicable national law on the admissibility of documents or of information other than admissibility requirements related to the means of communication of such documents and information between authorities shall remain unaffected by this article.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
72b			<p>5. Each Member State may decide to use the decentralised IT system for communication between its national authorities in cases falling under the scope of the legal acts listed in Annex I or II.</p>	
72c			<p>6. Union agencies or bodies may decide to use the decentralised IT system for communication within the agency or body in cases</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			falling under the scope of the legal acts listed in Annex II.	
CHAPTER III				
73	CHAPTER III COMMUNICATION BETWEEN NATURAL OR LEGAL PERSONS AND COMPETENT AUTHORITIES IN CIVIL AND COMMERCIAL MATTERS	CHAPTER III COMMUNICATION BETWEEN NATURAL OR LEGAL PERSONS AND COMPETENT AUTHORITIES IN CIVIL AND COMMERCIAL MATTERS	CHAPTER III COMMUNICATION BETWEEN NATURAL OR LEGAL PERSONS AND COMPETENT AUTHORITIES IN CIVIL AND COMMERCIAL MATTERS	CHAPTER III COMMUNICATION BETWEEN NATURAL OR LEGAL PERSONS AND COMPETENT AUTHORITIES IN CIVIL AND COMMERCIAL MATTERS Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4				
74	<p>Article 4</p> <p>Establishment of a European electronic access point</p>	<p>Article 4</p> <p>Establishment of a European electronic access point</p>	<p>Article 4</p> <p>Establishment of a Article 4 European electronic access point</p>	
Article 4(1)				
75	<p>1. A European electronic access point shall be established on the European e-Justice Portal, to be used for electronic communication between natural or legal persons and competent authorities in cases falling under the scope of the legal</p>	<p>1. A European electronic access point shall be established on the European e-Justice Portal, to be used for electronic communication between natural or legal persons and competent authorities in cases falling under the scope of the legal</p>	<p>1. A European electronic access point shall be established on the European e-Justice Portal, to be used for electronic communication between natural or legal persons and competent authorities in cases falling under the scope of the legal</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	acts listed in Annex I.	acts listed in Annex I.	acts listed in Annex I.	
75a			<p>2. The European electronic access point may be used for electronic communication between natural or legal persons or their representatives and competent authorities in the following instances:</p>	
75b			<p>(a) procedures provided for in</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Regulation (EC) No 1896/2006, Regulation (EC) No 861/2007 and Regulation (EU) No 655/2014.	
75c			(b) procedures provided for in Regulation (EC) No 805/2004;	
75d			(c) proceedings for recognition, declaration of enforceability or refusal of recognition provided	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>for in Regulation (EC) 4/2009, Regulation (EU) 650/2012, (EU) 1215/2012, Regulation (EU) 606/2013, Regulation (EU) 2016/1103, Regulation (EU) 2016/1104, Regulation (EU) 2019/1111.</p>	
75e			<p>(d) procedures related to the issuance, rectification and withdrawal of:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
75f			– extracts provided for in Regulation (EC) 4/2009,	
75g			– the European Successions Certificate and the attestations provided for in Regulation (EU) 650/2012,	
75h			– certificates provided for in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Regulation (EU) 1215/2012,	
75i			– certificate provided for in Regulation (EU) 606/2013,	
75j			– attestations provided for in Regulation (EU) 2016/1103,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
75k			– attestations provided for in Regulation (EU) 2016/1104,	
75l			– certificates provided for in Regulation (EU) 2019/1111;	
75m			(e) lodging of a claim by a foreign creditor in insolvency proceedings under Article 53 of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Regulation (EU) 2015/848;	
75n			(f) communication between natural or legal persons or their representatives with the Central Authorities under Regulation (EC) 4/2009 and Regulation (EU) 2019/1111 or the competent authorities under Chapter IV of Directive 2003/8/EC.	
Article 4(2)				
76				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>2. The Commission shall be responsible for the technical management, development, maintenance, security and support of the European electronic access point.</p>	<p>2. The Commission shall be responsible for the technical management, development, <u>accessibility</u>, maintenance, security and <u>technical, free of charge user support and other</u> support of the European electronic access point.</p> <p><u>When the Commission collaborates with external actors in the design and building stages of the European electronic access point, they shall have experience in secure, user-friendly and accessible IT development.</u></p>	<p>2. The Commission shall be responsible for the technical management, development, maintenance, security and support of the European electronic access point.</p>	
Article 4(3)				
77	<p>3. The European electronic access</p>	<p>3. <u>The European electronic</u></p>	<p>3. The European electronic access</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>point shall allow natural and legal persons to file claims, launch requests, send and receive procedurally relevant information and communicate with the competent authorities.</p>	<p><u><i>access point shall contain information for natural and legal persons on their right to legal assistance, including in cross-border proceedings. It shall also allow for their legal representative to act on their behalf.</i></u> The European electronic access point shall allow natural and legal persons, <u><i>or their legal representatives,</i></u> to file claims, launch requests, send and receive procedurally relevant information and communicate with the competent authorities. <u><i>The European electronic access point shall comply with the requirements of the national law of the relevant Member State with regard to form, language and representation.</i></u></p>	<p>point shall allow natural and legal persons or their representatives, in the instances referred to in paragraph 2, to initiate or engage in procedures, send, receive and store to file claims, launch requests, send and receive procedurally relevant information or documents and communicate with the competent authorities or be served with judicial or extrajudicial documents.</p> <p>Without prejudice to Article 9 of this Regulation, the communication through the European electronic access point shall comply with the applicable procedural provisions of Union and national law.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
77a			<p>4. Competent authorities shall accept electronic communication transmitted through the European electronic access point in the instances referred to in paragraph 2.</p>	
77b			<p>5. Competent authorities shall communicate with natural and legal persons or their</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>representatives in the instances referred to in paragraph 2 or may serve documents on them through the European electronic access point, where that natural or legal person or their representative gave prior express consent to the use of that means of communication or method of service. Each consent shall be specific to the procedure in which it is given and shall be given separately for the purposes of communication and service of documents.</p>	
77c				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>6. The Commission shall be responsible for the technical management, development, maintenance, security, accessibility, and support of the European electronic access point.</p>	
Article 5				
78	<p>Article 5</p> <p>Means of communication between natural or legal persons and competent authorities</p>	<p>Article 5</p> <p>Means of communication between natural or legal persons and competent authorities</p>	<p>Article 5</p> <p>Means of communication between natural or legal persons and competent authorities</p>	
Article 5(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
79	1. Written communication between natural or legal persons and competent authorities falling within the scope of the legal acts listed in Annex I, may be carried out by the following electronic means:	1. Written <u>electronic</u> communication between natural or legal persons <u>or their legal representative</u> and competent authorities falling within the scope of the legal acts listed in Annex I, may be carried out by the following electronic means:	1. Written communication between natural or legal persons and competent authorities falling within the scope of the legal acts listed in Annex I, may be carried out by the following electronic means:	
Article 5(1), point (a)				
80	(a) the European electronic access point; or	(a) the European electronic access point; or	(a) the European electronic access point; or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5(1), point (b)				
81	(b) national IT portals, where available.	(b) national IT portals, where available.	(b) national IT portals, where available.	
81a		<u>1a. The electronic means referred to in paragraph 1 shall be such as to ensure the identification and authentication of the users.</u>		
Article 5(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
82	<p>2. Competent authorities shall communicate with natural and legal persons through the European electronic access point, where that natural or legal person gave prior express consent to the use of this means of communication.</p>	<p>2. Competent authorities shall <u>only</u> communicate with natural and legal persons through the European electronic access point, where that natural or legal person gave prior express consent to the use of this means of communication. <u>Where a natural or legal person intends to use the European electronic access point on their own initiative for communication in proceedings, and provided that that natural or legal person has been made aware of their right to legal assistance and representation, they shall be able to indicate their consent in that initial communication.</u></p>	<p>2. Competent authorities shall communicate with natural and legal persons through the European electronic access point, where that natural or legal person gave prior express consent to the use of this means of communication.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5(3)				
83	3. Communication under paragraph 1 shall be considered equivalent to written communication under the applicable procedural rules.	3. Communication under paragraph 1 shall be considered equivalent to written communication under the applicable procedural rules.	3. Communication under paragraph 1 shall be considered equivalent to written communication under the applicable procedural rules.	
83a		<u><i>3a. Member States shall ensure that accessible and free of charge assistance services are provided to natural or legal persons and their</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>legal or authorised representatives who may require them in order to use the national IT portals, where available.</u>		
Article 6				
84	Article 6 Obligation to accept electronic communication	Article 6 Obligation to accept electronic communication	Article 6 Obligation to accept electronic communication	
Article 6, first paragraph				
85	Competent authorities shall accept	Competent authorities shall accept	Competent authorities shall accept	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	electronic communication under Article 5(1), transmitted through the European electronic access point or national IT portals, where available.	electronic communication under Article 5(1), transmitted through the European electronic access point or <u>through</u> national IT portals, where available.	electronic communication under Article 5(1), transmitted through the European electronic access point or national IT portals, where available.	
CHAPTER IV				
86	CHAPTER IV HEARING THROUGH VIDEOCONFERENCING OR OTHER DISTANCE COMMUNICATION TECHNOLOGY	CHAPTER IV HEARING THROUGH VIDEOCONFERENCING OR OTHER DISTANCE COMMUNICATION TECHNOLOGY	CHAPTER IV HEARING THROUGH VIDEOCONFERENCING OR OTHER DISTANCE COMMUNICATION TECHNOLOGY	CHAPTER IV HEARING THROUGH VIDEOCONFERENCING OR OTHER DISTANCE COMMUNICATION TECHNOLOGY <u>Text Origin:</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Article 7				
87	<p>Article 7</p> <p>Hearing through videoconferencing or other distance communication technology in civil and commercial matters</p>	<p>Article 7</p> <p>Hearing through videoconferencing or other distance communication technology in <u>cross-border</u> civil and commercial matters</p>	<p>Article 7</p> <p>Participation in a hearing through videoconferencing or other distance communication technology in civil and commercial matters</p>	
Article 7(1)				
88	1. Without prejudice to specific	1. Without prejudice to specific	1. Without– prejudice to specific	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>provisions regulating the use of videoconferencing or other distance communication technology in proceedings under the legal acts listed in Annex I, and upon request of a party to proceedings falling under the scope of these legal acts or in other civil and commercial matters where one of the parties is present in another Member State, or upon request of their legal or authorised representative, competent authorities shall allow their participation to a hearing by videoconferencing or other distance communication technology, provided that:</p>	<p>provisions regulating the use of videoconferencing or other distance communication technology in proceedings under the legal acts listed in Annex I, and upon request of a party <u>or another person entitled to participate in such proceedings under the law of the Member State whose judicial authorities are conducting the</u> to proceedings falling under the scope of these legal acts or in other civil and commercial matters where one of the parties is present in another Member State, or upon request of their legal or authorised representative, competent authorities shall allow their participation to <u>throughout the</u> hearing by videoconferencing or other distance communication</p>	<p>provisions regulating the use of videoconferencing or other distance communication technology in proceedings under the legal acts listed in Annex I, and upon request of a party to Regulations (EU) 2020/1783, (EC) 861/2007 and (EU) 655/2014, in proceedings falling under the scope of these legal acts or in other in civil and commercial matters where one of the parties is present in another Member State, or upon request of their legal or authorised representative, competent authorities shall allow their participation to competent authorities may allow the participation of the parties and their legal representatives in a hearing by through</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		technology, provided that:	videoconferencing or other distance communication technology, provided that:	
Article 7(1), point (a)				
89	(a) such technology is available, and	<i>deleted</i>	(a) such technology is available, and	
Article 7(1), point (b)				
90	(b) the other party or parties to the proceedings were given the possibility to submit an opinion on	(b) the other party or parties to the proceedings were given the possibility to submit an opinion on	(b) the other party or parties to the proceedings were given the possibility to submit an opinion on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the use of videoconferencing or other distance communication technology.	the use of videoconferencing or other distance communication technology.	the use of videoconferencing or other distance communication technology.	
90a			<p>2. The procedure for holding a hearing through videoconferencing or other distance communication technology shall be regulated by the national law of the Member State conducting the hearing.</p>	
Article 7(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
91	2. A request for conducting an oral hearing through videoconferencing or other distance communication technology may be refused by the competent authority where the particular circumstances of the case are not compatible with the use of such technology.	2. A request for conducting an oral hearing through videoconferencing or other distance communication technology may be refused by the competent authority where the particular circumstances of the case are not compatible with the use of such technology. <u><i>In those cases, the competent authority shall explain its reasons for such refusal to the requesting party.</i></u>	2. A request for conducting an oral hearing through videoconferencing or other distance communication technology may be refused by the competent authority where the particular circumstances of the case are not compatible with the use of such technology.	
Article 7(3)				
92	3. Competent authorities may on their own motion allow the	3. Competent authorities may on their own motion allow the	3. Competent authorities may on their own motion allow the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	participation of parties to hearings by videoconference, provided that all parties to the proceedings are given the possibility to submit an opinion on the use of videoconferencing or other distance communication technology.	participation of parties to hearings by videoconference, provided that all parties to the proceedings are given the possibility to submit an opinion on <u>object to</u> the use of videoconferencing or other distance communication technology.	participation of parties to hearings by videoconference, provided that all parties to the proceedings are given the possibility to submit an opinion on the use of videoconferencing or other distance communication technology.	
Article 7(4)				
93	4. Subject to this Regulation, the procedure for requesting and conducting a videoconference shall be regulated by the national law of the Member State conducting videoconference.	4. Subject to this Regulation, the procedure for requesting and conducting a videoconference shall be regulated by the national law of the Member State <u>where the proceedings are taking place, which shall be considered to be</u>	4. Subject to this Regulation, the procedure for requesting and conducting a videoconference shall be regulated by the national law of the Member State conducting videoconference.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		conducting the videoconference.		
Article 7(5)				
94	5. Requests under paragraph 1 may be submitted via the European electronic access point and through national IT portals, where available.	5. Requests under paragraph 1 may be submitted via the European electronic access point and through national IT portals, where available.	5. Requests under paragraph 1 may be submitted via the European electronic access point and through national IT portals, where available.	
Article 8				
95	Article 8 Hearing through videoconferencing	Article 8 Hearing through videoconferencing	Article 8 Article 8	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or other distance communication technology in criminal proceedings	or other distance communication technology in <u>cross border</u> criminal proceedings	Hearing through videoconferencing or other distance communication technology in criminal proceedings matters	
Article 8(1)				
96	1. Where the competent authority of a Member State requests the hearing of a suspect, accused or convicted person in proceedings under the legal acts listed in Annex II, the competent authority shall allow their participation to the hearing by videoconferencing or other distance communication	1. Where the competent authority of a Member State requests the hearing of a suspect, accused or convicted person in <u>person either directly involved in or relevant to</u> proceedings under the legal acts listed in Annex II, the <u>and located in another Member State, the corresponding</u> competent authority <u>in that other Member State</u> shall	1. Where the competent authority of a Member State requests the hearing of a suspect, accused or convicted person present in another Member State in proceedings under in proceedings under the legal acts listed in Annex II, the competent authority shall allow their participation to the hearing by videoconferencing or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	technology, provided that:	allow their participation to the hearing by videoconferencing or other distance communication technology, provided that:	other distance communication technology, provided that:	
96a			– Council Framework Decision 2002/584/JHA, in particular Article 18(1)(a) thereof,	
96b			– Council Framework Decision 2008/909/JHA, in particular	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Article 6(3) thereof,	
96c			– Council Framework Decision 2008/947/JHA, in particular Article 17(4) thereof,	
96d			– Council Framework Decision 2009/829/JHA, in particular Article 19(4) thereof,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
96e			– Directive 2011/99/EU, in particular Article 6(4) thereof,	
96f			– Regulation (EU) 2018/1805, in particular Article 33(1) thereof,	
96g			the competent authority of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>other Member State shall allow their participation in the hearing through videoconferencing or other distance communication technology, provided that:</p>	
Article 8(1), point (a)				
97	(a) such technology is available;	<i>deleted</i>	(a) such technology is available;	
Article 8(1), point (b)				
98				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) the particular circumstances of the case justify the use of such technology;	(b) the particular circumstances of the case justify the use of such technology;	(b) the particular circumstances of the case justify the use of such technology; and	
Article 8(1), point (c)				
99	(c) the suspect, accused or convicted persons expressed consent on the use of videoconferencing or other distance communication technology. Before expressing consent on the use of videoconferencing or other distance communication technology the suspect or the accused person shall have the possibility to seek the advice of a	(c) the suspect, accused or convicted persons expressed consent on the use of videoconferencing or other distance communication technology <u>for that hearing</u> . Before expressing consent on the use of videoconferencing or other distance communication technology the suspect or the accused person shall have the possibility to seek the advice of a	(c) the suspect, accused or convicted persons expressed consent on the use of videoconferencing or other distance communication technology. Before expressing consent on the use of videoconferencing or other distance communication technology the suspect or the accused person shall have the possibility to seek the advice of a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>lawyer in accordance with Directive 2013/48/EU.</p>	<p>lawyer in accordance with Directive 2013/48/EU. <u>Competent authorities shall provide suspects, accused or convicted persons with information about the procedure for conducting a hearing through videoconferencing or other distance communication technology, including the right to interpretation in accordance with the Directive 2010/64/EU and the right of access to legal assistance in accordance with Directive 2013/48/EU, before such persons are required to consent or refuse on the use of videoconferencing or other distance communication technology for that hearing;</u></p>	<p>lawyer in accordance with Directive 2013/48/EU. Without prejudice to the principle of a fair trial, the consent of these persons may not be required where the participation in a hearing in person may pose a threat to public security or public health.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
99a			<p>1a. Where in proceedings under Regulation (EU) 2018/1805 of the European Parliament and of the Council, the competent authority of a Member State requests a hearing of an affected person as defined in Article 2, point 10 of that Regulation, other than a suspect, accused or convicted person, present in another Member State, such hearing may be conducted through videoconferencing or other distance communication technology provided that the conditions of paragraph 1, points a) and b) of this Article are met.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 8(2)				
100	2. Paragraph 1 is without prejudice to the provisions regulating the use of videoconferencing or other distance communication technology in the legal acts listed in Annex II.	2. Paragraph 1 is <u>Paragraphs 1 and 1a are</u> without prejudice to the provisions regulating the use of videoconferencing or other distance communication technology in the legal acts listed in Annex II.	2. Paragraph 1 This Article is without prejudice to the provisions regulating other Union legal acts allowing for the use of videoconferencing or other distance communication technology in the legal acts listed in Annex II criminal matters .	
Article 8(3)				
101	3. Subject to this Regulation, the	3. Subject to this Regulation, the	3. Subject to this Regulation, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedure for conducting a videoconference shall be regulated by the national law of the Member State conducting the videoconference.	procedure for conducting a videoconference shall be regulated by the national law of the Member State conducting <u>requesting</u> the videoconference.	procedure for conducting a hearing through videoconferencing or other distance communication technology videoconference shall be regulated by the national law of the requesting Member State conducting the videoconference . The requesting and requested competent authorities shall agree on practical arrangements.	
Article 8(4)				
102	4. The confidentiality of communication between suspects, accused or convicted persons and their lawyer before and during the	4. The confidentiality of competent authority shall ensure that communication between suspects, accused or convicted persons and	4. The confidentiality of communication between suspects, accused or convicted persons and their lawyer before and during the	

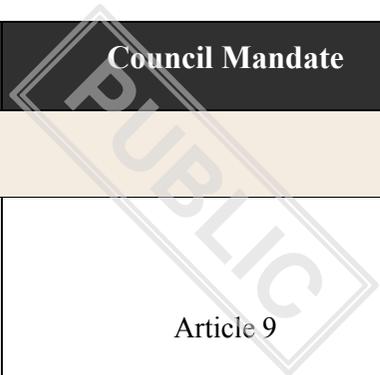
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hearing through videoconferencing or other distance communication technology shall be ensured.	their lawyer before and during the hearing through videoconferencing or other distance communication technology shall be ensured <u>is confidential in accordance with the applicable national law.</u>	hearing through videoconferencing or other distance communication technology shall be ensured.	
Article 8(5)				
103	5. Before hearing a child through videoconferencing or other distance communication technology, holders of parental responsibility as defined in Article 3, point 2 of Directive (EU) 2016/800 of the European Parliament and of the Council ¹ or another appropriate adult as	5. Before hearing a child through videoconferencing or other distance communication technology, holders of parental responsibility as defined in Article 3, point 2 of Directive (EU) 2016/800 of the European Parliament and of the Council ⁺⁵⁰ or another appropriate adult as	5. Before hearing a child through videoconferencing or other distance communication technology, holders of parental responsibility as defined in Article 3, point 2 of Directive (EU) 2016/800 of the European Parliament and of the Council ¹ or another appropriate adult as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>referred to in Article 5(2) of that Directive shall be informed promptly. When deciding whether to hear a child through videoconferencing or other distance communication technology, the competent authority shall take into account the best interests of the child.</p> <p>_____</p> <p>1. Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ L 132, 21.5.2016, p. 1–20).</p>	<p>referred to in Article 5(2) of that Directive shall be informed promptly. When deciding whether to hear a child through videoconferencing or other distance communication technology, the competent authority shall take into account the best interests of the child.</p> <p><u><i>Equivalent measures shall apply when the hearing through videoconferencing concerns a vulnerable adult.</i></u></p> <p>_____</p> <p><u><i>⁵⁰ Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal</i></u></p>	<p>referred to in Article 5(2) of that Directive shall be informed promptly. When deciding whether to hear a child through videoconferencing or other distance communication technology, the competent authority shall take into account the best interests of the child.</p> <p>_____</p> <p>1. Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ L 132, 21.5.2016, p. 1–20).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>proceedings (OJ L 132, 21.5.2016, p. 1–20).</u></p> <hr/> <p><i>1. Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ L 132, 21.5.2016, p. 1–20).</i></p>		
Article 8(6)				
104	6. Where the recording of hearings is provided for under the national	6. Where the recording of hearings is provided for under the national	6. Where the recording of hearings is provided for under the national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>law of a Member State for domestic cases, the same rules shall apply also to hearings through videoconferencing or other distance communication technology in cross-border cases. Member States shall take appropriate measures to ensure that such records are secured and not publicly disseminated.</p>	<p>law of a Member State for domestic cases, the same rules shall apply also to hearings through videoconferencing or other distance communication technology in cross-border cases. Member States <u>where the proceedings take place</u> shall take appropriate measures to ensure that such records are secured and not publicly disseminated.</p>	<p>law of a Member State for domestic cases, the same rules shall apply also to hearings through videoconferencing or other distance communication technology in cross-border cases. Member States shall take appropriate measures in accordance with national law to ensure that such records are secured and not publicly disseminated.</p>	
Article 8(7)				
105	<p>7. A suspect, an accused and the convicted person shall have the right to an effective legal remedy</p>	<p>7. A suspect, an accused and the convicted person shall have the right to an effective legal remedy</p>	<p>7. A suspect, an accused and the convicted person shall have the right to an effective legal remedy</p>	

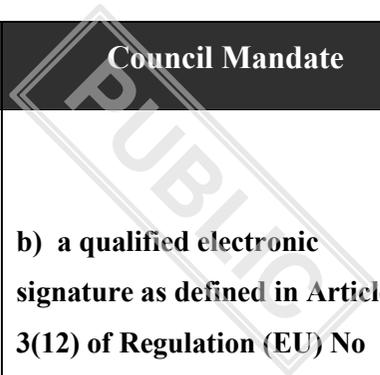
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	under national law in the event of a breach of this Article.	under national law in the event of a breach of this Article.	under national law in the event of a breach of this Article.	
CHAPTER V				
106	CHAPTER V TRUST SERVICES, LEGAL EFFECTS OF ELECTRONIC DOCUMENTS AND ELECTRONIC PAYMENT OF FEES	CHAPTER V TRUST SERVICES, LEGAL EFFECTS OF ELECTRONIC DOCUMENTS AND ELECTRONIC PAYMENT OF FEES	CHAPTER V TRUST SERVICES, LEGAL EFFECTS OF ELECTRONIC DOCUMENTS AND ELECTRONIC PAYMENT OF FEES	CHAPTER V TRUST SERVICES, LEGAL EFFECTS OF ELECTRONIC DOCUMENTS AND ELECTRONIC PAYMENT OF FEES Text Origin: Commission Proposal



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	apply to the electronic communication under this Regulation.	apply to the electronic communication under this Regulation.	apply to the electronic communication under this Regulation.	apply to the electronic communication under this Regulation. Text Origin: Commission Proposal
Article 9(2)				
109	2. Where a document transmitted as part of the electronic communication under Article 3 of this Regulation requires or features a seal or handwritten signature, qualified electronic seals or qualified electronic signatures as	2. Where a document transmitted as part of the electronic communication under Article 3 <u>or</u> <u>5</u> of this Regulation requires or features a seal or handwritten signature, qualified electronic seals or qualified electronic signatures as	2. Where a document transmitted as part of the electronic communication under Article 3 of this Regulation requires a seal or signature in accordance with the legal acts listed in Annexes I and II, the document shall feature a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	defined in Regulation (EU) No 910/2014 may be used instead.	defined in Regulation (EU) No 910/2014 may be used instead.	or features a seal or handwritten signature, qualified electronic seals or qualified electronic signatures as defined in Regulation (EU) No 910/2014 may be used instead.	
Article 9(3)				
110	3. Where a document transmitted as part of the electronic communication under Article 5 of this Regulation requires or features a seal or handwritten signature, advanced electronic seals, advanced electronic signatures, qualified electronic seals or qualified electronic signatures as	<i>deleted</i>	32a. Where a document transmitted as part of the electronic communication in the instances referred to in under Article 5 4(2) of this Regulation requires or features a seal or handwritten signature, advanced electronic seals, advanced electronic signatures the signatures of the person	

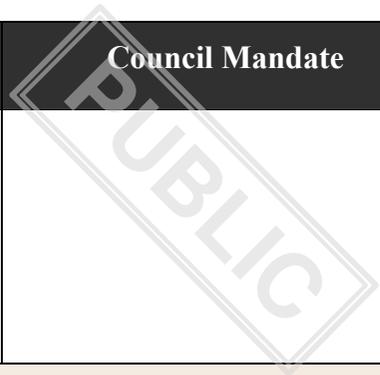
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	defined in Regulation (EU) No 910/2014 may be used instead.		<p>transmitting the document, qualified electronic seals or qualified electronic signatures as defined in Regulation (EU) No 910/2014 may be used instead.</p> <p>that person shall fulfil this requirement by:</p>	
110a			<p>a) electronic identification with an assurance level as defined in Article 8(2)(c) of Regulation (EU) No 910/2014; or</p>	



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
110b			b) a qualified electronic signature as defined in Article 3(12) of Regulation (EU) No 910/2014.	
Article 10				
111	Article 10 Legal effects of electronic documents	Article 10 Legal effects of electronic documents	Article 10 Legal effects of electronic documents	Article 10 Legal effects of electronic documents Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10, first paragraph				
112	Documents transmitted as part of electronic communication shall not be denied legal effect or be considered inadmissible in the context of cross-border judicial procedures under the legal acts listed in Annex I and Annex II solely on the ground that they are in electronic form.	Documents transmitted as part of electronic communication shall not be denied legal effect or be considered inadmissible in the context of cross-border judicial procedures under the legal acts listed in Annex I and Annex II solely on the ground that they are in electronic form.	Documents transmitted as part of electronic communication shall not be denied legal effect or be considered inadmissible in the context of cross-border judicial procedures under the legal acts listed in Annex Annexes I and Annex II solely on the ground that they are in electronic form.	
Article 11				
113				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 11 Electronic payment of fees	Article 11 Electronic payment of fees	Article 11 Electronic payment of fees	Article 11 Electronic payment of fees Text Origin: Commission Proposal
Article 11(1)				
114	1. Member States shall provide for the possibility of electronic payment of fees, including from Member States other than where the competent authority is situated.	1. Member States shall provide for the possibility of electronic payment of fees, including from Member States other than where the competent authority is situated.	1. Member States shall provide for the possibility of electronic payment of fees, including from Member States other than where the competent authority is situated.	1. Member States shall provide for the possibility of electronic payment of fees, including from Member States other than where the competent authority is situated.



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 11(2)				
115	2. Member States shall provide for technical means allowing the payment of the fees referred to in paragraph 1 through the European electronic access point.	2. Member States shall provide for technical <u>and accessible</u> means allowing the payment of the fees referred to in paragraph 1 through the European electronic access point.	2. Member States shall provide for technical Where the available means allowing the of electronic payment of the fees referred to in paragraph 1 fees so allow, they shall be accessible through the European electronic access point.	
CHAPTER VI				
116				

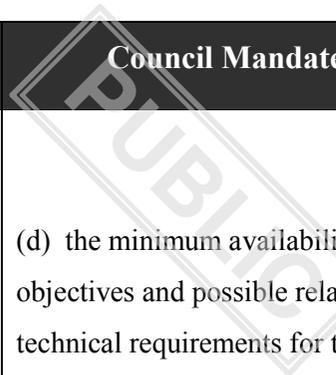
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	CHAPTER VI PROCEDURAL PROVISIONS AND EVALUATION	CHAPTER VI PROCEDURAL PROVISIONS AND EVALUATION	PUBLIC	CHAPTER VI PROCEDURAL PROVISIONS AND EVALUATION Text Origin: Commission Proposal
Article 12				
117	Article 12 Adoption of implementing acts by the Commission	Article 12 Adoption of implementing <u>delegated</u> acts by the Commission	Article 12 Adoption of implementing acts by the Commission	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(1)				
118	1. The Commission shall adopt implementing acts establishing the decentralised IT system, setting out the following:	1. The Commission shall adopt <u>delegated acts in accordance with Article 15a in order to supplement this Regulation by</u> implementing acts establishing the decentralised IT system, setting out the following:	1. The Commission shall adopt implementing acts establishing the decentralised IT system, setting out the following:	
Article 12(1), point (a)				
119	(a) the technical specifications defining the methods of communication by electronic means for the purposes of the	(a) the technical specifications defining the methods of communication by electronic means for the purposes of the	(a) the technical specifications defining the methods of communication by electronic means for the purposes of the	(a) the technical specifications defining the methods of communication by electronic means for the purposes of the



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	decentralised IT system;	decentralised IT system;	decentralised IT system;	decentralised IT system; Text Origin: Commission Proposal
Article 12(1), point (b)				
120	(b) the technical specifications for communication protocols;	(b) the technical specifications for communication protocols;	(b) the technical specifications for communication protocols;	(b) the technical specifications for communication protocols; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(1), point (c)				
121	(c) the information security objectives and relevant technical measures ensuring minimum information security standards and a high level of cybersecurity for the processing and communication of information within the decentralised IT system;	(c) the information security objectives and relevant technical measures ensuring minimum information security standards and a high level of cybersecurity for the processing and communication of information within the decentralised IT system;	(c) the information security objectives and relevant technical measures ensuring minimum information security standards and a high level of cybersecurity for the processing and communication of information within the decentralised IT system;	(c) the information security objectives and relevant technical measures ensuring minimum information security standards and a high level of cybersecurity for the processing and communication of information within the decentralised IT system; Text Origin: Commission Proposal
Article 12(1), point (d)				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
122	(d) the minimum availability objectives and possible related technical requirements for the services provided by the decentralised IT system;	(d) the minimum availability objectives and possible related technical requirements for the services provided by the decentralised IT system;	(d) the minimum availability objectives and possible related technical requirements for the services provided by the decentralised IT system;	(d) the minimum availability objectives and possible related technical requirements for the services provided by the decentralised IT system; Text Origin: Commission Proposal
122a			(e) digital procedural standards as defined in Article 3(9) of Regulation (EU) 2022/850;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
122b			<p>(f) an implementation timetable laying down, inter alia, the dates of the availability of the reference implementation software, referred to in Article 13, its installation by the competent authorities, and, where relevant, completion of the adjustments to national IT systems necessary for ensuring compliance with the requirements referred to in points (a) - (e); and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
122c			<p>(g) the technical specifications for the European electronic access point, including the means used for the electronic identification of the user at the assurance level as defined in Article 8(2)(c) of Regulation (EU) 910/2014 and the retention period for storing information and documents.</p>	
122d		<p><u>1a. The specifications, objectives</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>and related technical requirements listed in paragraph 1 shall be established in close consultation with the relevant experts and legal practitioners.</u>		
Article 12(2)				
123	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted in accordance with the examination procedure referred to in Article 16.	<i>deleted</i>	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted in accordance with the examination procedure referred to in Article 16.	
Article 12(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
124	3. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 3 and 4 and the legal acts listed in Annex II, points 2, 6 and 10 shall be adopted by [2 years after the entry into force].	3. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 3 and 4 and the legal acts listed in Annex II, points 2, 6 and 10 <u>delegated acts referred to in paragraph 1 of this Article</u> shall be adopted by [2 years after the entry into force] ;	3. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 3 and 4 of Annex I and the legal acts listed in Annex II, points 2, 6 and 10 10 and 11 of Annex II shall be adopted by [2 years after the entry into force].	
124a		<u>(a) [1 year after the entry into force of this Regulation] for the legal acts listed in Annex I, points 3 and 4 and the legal acts listed in</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Annex II, points 2, 6 and 10,</u>		
124b		<u>(b) [2 years after the entry into force of this Regulation] for the legal acts listed in Annex I, points 1, 8 and 9 and the legal act listed in Annex II, point 11,</u>		
124c		<u>(c) [3 years after the entry into force of this Regulation] for the legal acts listed in Annex I, points</u>		

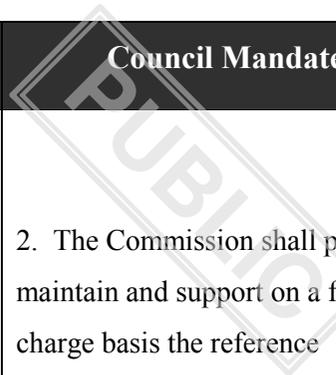
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>6, 10, 11 and the legal acts listed in Annex II, points 3, 4, 5 and</u>		
124d		<u>(d) [4 years after the entry into force of this Regulation] for the legal acts listed in Annex I, points 2, 5, 7 and 12 and the legal acts listed in Annex II, points 1, 7 and 8.</u>		
Article 12(4)				
125	4. The implementing acts		4. The implementing acts	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	establishing the decentralised IT system for the legal acts listed in Annex I, points 1, 8 and 9 and the legal act listed in Annex II, point 11 shall be adopted by [3 years after the entry into force].	<i>deleted</i>	establishing the decentralised IT system for the legal acts listed in Annex I, points 1, 7a , 8 and 9 of Annex I and the legal act listed in points 6 and 9a of Annex II, point 11 shall be adopted by [3 years after the entry into force].	
Article 12(5)				
126	5. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 6, 10, 11 and the legal acts listed in Annex II, points 3, 4, 5 and 9 shall be adopted by [5 years after the entry into force].	<i>deleted</i>	5. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 6, 10, 11 of Annex I and the legal acts listed in Annex II, points 3, 4, 5 and 9 of Annex II shall be adopted by [5 years after the entry into force].	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(6)				
127	6. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 2, 5, 7 and 12 and the legal acts listed in Annex II, points 1, 7 and 8 shall be adopted by [6 years after the entry into force].	<i>deleted</i>	6. The implementing acts establishing the decentralised IT system for the legal acts listed in Annex I, points 2, 5, 7 and 12 of Annex I and the legal acts listed in Annex II, points 1, 7 and 8 of Annex II shall be adopted by [6 years after the entry into force].	
127a			7. The timetable for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			adoption of the implementing acts according to this Article and the transition period according to Article 24 is set out in Annex III.	
Article 13				
128	Article 13 Reference implementation software	Article 13 Reference implementation software	Article 13 Reference implementation software	Article 13 Reference implementation software Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 13(1)				
129	<p>1. The Commission shall be responsible for the creation, maintenance and development of reference implementation software which Member States may choose to apply as their back-end system instead of a national IT system. The creation, maintenance and development of the reference implementation software shall be financed from the general budget of the Union.</p>	<p>1. The Commission shall be responsible for the creation, <u>accessibility</u>, maintenance and development of reference implementation software which Member States may choose to apply as their back-end system instead of a national IT system. The creation, maintenance and development of the reference implementation software shall be financed from the general budget of the Union.</p>	<p>1. The Commission shall be responsible for the creation, maintenance and development of reference implementation software which Member States may choose to apply as their back-end system instead of a national IT system. The creation, maintenance and development of the reference implementation software shall be financed from the general budget of the Union.</p>	
Article 13(2)				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
130	2. The Commission shall provide, maintain and support on a free-of-charge basis the reference implementation software.	2. The Commission shall provide, maintain and support on a free-of-charge basis the reference implementation software.	2. The Commission shall provide, maintain and support on a free-of-charge basis the reference implementation software.	2. The Commission shall provide, maintain and support on a free-of-charge basis the reference implementation software. Text Origin: Commission Proposal
130a			3. The reference implementation software shall offer a common interface to communicate with other national IT systems.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14				
131	<p>Article 14</p> <p>Costs of the decentralised IT system, European electronic access point and national IT portals</p>	<p>Article 14</p> <p>Costs of the decentralised IT system, European electronic access point and national IT portals</p>	<p>Article 14</p> <p>Costs of the decentralised IT system, European electronic access point and national IT portals</p>	<p>Article 14</p> <p>Costs of the decentralised IT system, European electronic access point and national IT portals</p> <p>Text Origin: Commission Proposal</p>
Article 14(1)				
132				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Each Member State shall bear the costs of the installation, operation and maintenance of the decentralised IT system's access points which are located on their territory.	1. Each Member State shall bear the costs of the installation, operation and maintenance of the decentralised IT system's access points which are located on their territory.	1. Each Member State or entity operating an authorised e-CODEX access point as defined in Article 3(4) of Regulation (EU) 2022/850 of the European Parliament and of the Council shall bear the costs of the installation, operation and maintenance of the decentralised IT system's access points for which are located on their territory they are responsible.	
Article 14(2)				
133	2. Each Member State shall bear the costs of establishing and adjusting its national IT systems to	2. Each Member State shall bear the costs of establishing and adjusting its national IT systems to	2. Each Member State or entity operating an authorised e-CODEX access point as defined	

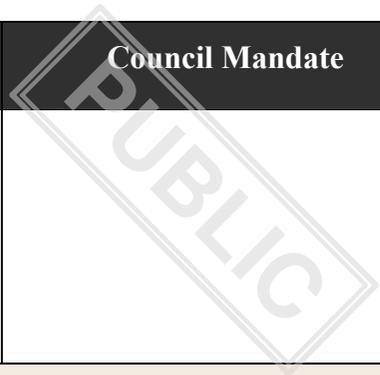
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems.	make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems.	in Article 3(4) of Regulation (EU) 2022/850 of the European Parliament and of the Council shall bear the costs of establishing and adjusting its relevant national IT systems to make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems.	
Article 14(3)				
134	3. Member States shall not be prevented from applying for grants to support the activities referred to in paragraphs 1 and 2, under the relevant Union financial	3. Member States shall not be prevented from applying <u>be encouraged and supported by the Commission to apply</u> for grants to support the activities referred to in	3. Member States shall not be prevented from applying for grants to support the activities referred to in paragraphs 1 and 2, under the relevant Union financial	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	programmes.	paragraphs 1 and 2, under the relevant Union financial programmes.	programmes.	
Article 14(4)				
135	4. Union agencies and bodies shall bear the costs of the installation, operation and maintenance of the components comprising the decentralised IT system under their responsibility.	4. Union agencies and bodies shall bear the costs of the installation, operation and maintenance of the components comprising the decentralised IT system under their responsibility.	4. Union agencies and bodies shall bear the costs of the installation, operation and maintenance of the components comprising the decentralised IT system under their responsibility.	4. Union agencies and bodies shall bear the costs of the installation, operation and maintenance of the components comprising the decentralised IT system under their responsibility. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(5)				
136	5. Union agencies and bodies shall bear the costs of establishing and adjusting their case-management systems to make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems.	5. Union agencies and bodies shall bear the costs of establishing and adjusting their case-management systems to make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems.	5. Union agencies and bodies shall bear the costs of establishing and adjusting their case-management systems to make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems.	5. Union agencies and bodies shall bear the costs of establishing and adjusting their case-management systems to make them interoperable with the access points, and shall bear the costs of administering, operating and maintaining those systems. Text Origin: Commission Proposal
Article 14(6)				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
137	6. The Commission shall bear all costs related to the European electronic access point.	6. The Commission shall bear all costs related to the European electronic access point.	6. The Commission shall bear all costs related to the European electronic access point.	6. The Commission shall bear all costs related to the European electronic access point. Text Origin: Commission Proposal
Article 15				
138	Article 15 Protection of information transmitted			



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 15(1)				
139	1. The competent authority shall be regarded as controller within the meaning of Regulation (EU) 2016/679, Regulation (EU) 2018/1725 or Directive (EU) 2016/680 with respect to the processing of personal data sent or received through the decentralised IT system.	1. The competent authority shall be regarded as controller within the meaning of Regulation (EU) 2016/679, Regulation (EU) 2018/1725 or Directive (EU) 2016/680 with respect to the processing of personal data sent or received through the decentralised IT system.	1. The competent authority shall be regarded as a controller within the meaning of Regulation (EU) 2016/679, Regulation (EU) 2018/1725 or Directive (EU) 2016/680 with respect to the processing of personal data sent or received through the decentralised IT system.	
Article 15(2)				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
140	2. The Commission shall be regarded as a controller within the meaning of Regulation (EU) 2018/1725 with respect to personal data processing by the European electronic access point.	2. The Commission shall be regarded as a controller within the meaning of Regulation (EU) 2018/1725 with respect to personal data processing by the European electronic access point.	2. The Commission shall be regarded as a controller within the meaning of Regulation (EU) 2018/1725 with respect to personal data processing by the European electronic access point.	2. The Commission shall be regarded as a controller within the meaning of Regulation (EU) 2018/1725 with respect to personal data processing by the European electronic access point. Text Origin: Commission Proposal
Article 15(3)				
141	3. Competent authorities shall ensure that information transmitted in the context of cross-border	3. Competent authorities shall ensure that information transmitted in the context of cross-border	3. Competent authorities shall ensure that information transmitted in the context of cross-border	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	judicial procedures to another competent authority, which is deemed confidential in the Member State from which the information is being sent, remains confidential in accordance with the national law of the Member State to which the information is being sent.	judicial procedures to another competent authority, which is deemed confidential in the Member State from which the information is being sent, remains confidential in accordance with the national law of the Member State to which the information is being sent.	judicial procedures to another competent authority, which is deemed confidential under the law of in the Member State from which the information is being sent, shall be subject to the rules on confidentiality laid down by Union and remains confidential in accordance with the national law of the Member State to which the information is being sent.	
Article 16				
142	Article 16 Committee procedure	Article 16	Article 16 Committee procedure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i>deleted</i>		
Article 16(1)				
143	<p>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011¹.</p> <p>_____</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</p>	<i>deleted</i>	<p>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011¹.</p> <p>_____</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</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13–18).		control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13–18).	
Article 16(2)				
144	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	<i>deleted</i>	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
Article 17				
145	Article 17	Article 17	Article 17	Article 17

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Monitoring and Evaluation	Monitoring and Evaluation	Monitoring and Evaluation	Monitoring and Evaluation Text Origin: Commission Proposal
Article 17(1)				
146	1. Every five years after the date of application of Article 25, the Commission shall carry out an evaluation of this Regulation and present to the European Parliament and to the Council a report supported by information supplied by the Member States and collected by the Commission.	1. Every five ^{three} years after the date of application of Article 25, the Commission shall carry out an evaluation of this Regulation and present to the European Parliament and to the Council a report supported by information supplied by the Member States and collected by the Commission. <u>It</u>	1. Every five Six years after the date of entry into force of the implementing act referred to in application of Article 12(6) and every five years thereafter 25 , the Commission shall carry out an evaluation of this Regulation and present to the European Parliament and to the Council a report	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>shall also include an assessment of the effect of electronic communication on the equality of arms in the context of cross-border civil and criminal proceedings.</i></u>	supported by information supplied by the Member States and collected by the Commission.	
Article 17(2)				
147	2. As of [...] 2025, unless an equivalent notification procedure applies under other Union legal acts, the Member States shall provide the Commission on an annual basis with information relevant for the evaluation of the operation and application of this Regulation on:	2. As of [...] 2025, unless an equivalent notification procedure applies under other Union legal acts, the Member States shall provide the Commission on an annual basis with information relevant for the evaluation of the operation and application of this Regulation on:	2. As of [...] 2025, Unless an equivalent notification procedure applies under other Union legal acts, the Member States shall provide the Commission on an annual basis with the following information relevant for the evaluation of the operation and application of this Regulation on :	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17(2), point (a)				
148	(a) the costs incurred under Article 14(2) of this Regulation;	(a) the costs incurred under Article 14(2) of this Regulation;	(a) as of four years after the date of entry into force of each of the implementing acts referred to in Article 12(3)-(6), the costs incurred for establishing or adjusting their relevant national IT systems to make them interoperable with the access points under Article 14(2) of this Regulation;	
Article 17(2), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
149	(b) the length of the first instance judicial proceedings, from the reception of the application by the competent authority until the date of the decision, under the legal acts listed in Annex I points 3, 4 and 8 and Annex II.	(b) the length of the first instance judicial proceedings, from the reception of the application by the competent authority until the date of the decision, under the legal acts listed in Annex I points 3, 4 and 8 and Annex II.	(b) as of five years after the entry into force of the implementing act referred to in Article 12(4) , the length of the first instance judicial proceedings, from the reception of the application by the competent authority until the date of the decision, under the legal acts listed in Annex I points 3, 4 and 8 and Annex II. , where available;	
149a			(c) as of five years after the date of entry into force of each of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>implementing acts referred to in Article 12(3)-(6), the length of time to transmit information on the decision on recognition and execution of a judgement or a judicial decision or, if not applicable, to transmit the results of the execution of such a judgement or a judicial decision, under the legal acts listed in points 2-8 and 9a-11 of Annex II, grouped by corresponding legal act, where available;</p>	
Article 17(3)				
150	3. Each Member State shall designate one or more competent	3. Each Member State shall designate one or more competent	3. Each Member State shall designate one or more competent	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	authorities to provide the Commission on an annual basis with the following data:	authorities <u>as identified under Article 18 (1)(da)</u> to provide the Commission on an annual basis with the following data:	authorities to provide the Commission on an annual basis with the following data:	
Article 17(3), point (a)				
151	(a) the number of cases handled by that authority, where communication was carried out by means other than through the decentralised IT system, in accordance with Article 3(2);	(a) the number of cases handled by that authority, where communication was carried out by means other than through the decentralised IT system, in accordance with Article 3(2);	(a) (d) as of five years after the date of entry into force of each of the implementing acts referred to in Article 12(3)-(6), the number of requests transmitted the number of cases handled by that authority, where communication was carried out by means other than through the decentralised IT system, in accordance with Article 3(2);3(1), where available.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17(3), point (b)				
152	(b) the number of hearings conducted by that authority, where videoconferencing or other distance communication technology was used for oral hearings in accordance with Article 7 and Article 8;	(b) the number of hearings conducted by that authority, where videoconferencing or other distance communication technology was used for oral hearings in accordance with Article 7 and Article 8;	(b) the number of hearings conducted by that authority, where videoconferencing or other distance communication technology was used for oral hearings in accordance with Article 7 and Article 8;	
152a			3. For the purpose of establishing a sample, each	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Member State shall designate one or more competent authorities to collect the data on the number of hearings conducted by those authorities, where videoconferencing or other distance communication technology was used in accordance with Articles 7 and 8 which shall be provided to the Commission as of one year after the date of application of this Regulation.</p>	
Article 17(4)				
153	4. The reference implementation software and, where equipped to do	4. The reference implementation software and, where equipped to do	4. The reference implementation software and, where equipped to do	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	so, the national back-end system shall programmatically collect the data referred to in point (a) of paragraph 3 and transmit them to the Commission on an annual basis.	so, the national back-end system shall programmatically collect the data referred to in point (a) of paragraph 3 and transmit them to the Commission on an annual basis.	so, the national back-end system shall programmatically collect the data referred to in points (b), (c) and (d) point (a) of paragraph 3 2 and transmit them to the Commission on an annual basis.	
Article 18				
154	Article 18 Information to be communicated to the Commission	Article 18 Information to be communicated to the Commission	Article 18 Information to be communicated to the Commission	Article 18 Information to be communicated to the Commission Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 18(1), first subparagraph				
155	1. Member States shall communicate by [six months after entry into force] to the Commission the following information with a view to making it available through the European e-Justice Portal:	1. Member States shall communicate by [six months after entry into force] to the Commission the following information with a view to making it available through the European e-Justice Portal:	1. Member States shall communicate by [<i>six months after entry into forcesix months after entry into force</i>] to the Commission the following information with a view to making it available through the European e-Justice Portal:	
Article 18(1), first subparagraph, point (a)				
156	(a) details of national IT portals,	(a) details of national IT portals,	(a) details of national IT portals,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	where applicable;	where applicable;	where applicable;	
Article 18(1), first subparagraph, point (b)				
157	(b) a description of the national laws and procedures applicable to videoconferencing;	(b) a description of the national laws and procedures applicable to videoconferencing;	(b) (a) a description of the national laws and procedures applicable to videoconferencing in accordance with Articles 7 and 8;	
Article 18(1), first subparagraph, point (c)				
158	(c) information on fees due in cross-border cases;	(c) information on fees due in cross-border cases;	(c) (b) information on fees due in proceedings under the legal acts listed in Annex I cross-border	

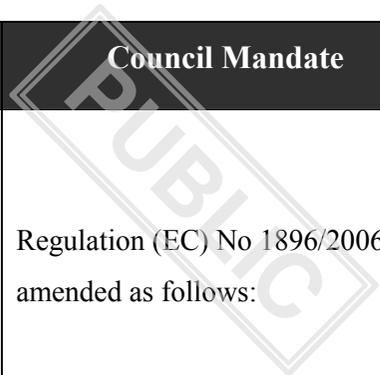
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			eases;	
Article 18(1), first subparagraph, point (d)				
159	(d) details on the electronic payment methods available for fees due in cross-border cases;	(d) details on the electronic payment methods available for fees due in cross-border cases;	(d) (c) details on the electronic payment methods available for fees due in cross-border cases;	
Article 18(1), second subparagraph				
160	Member States shall communicate to the Commission any changes with regard to this information without delay.	Member States shall communicate to the Commission any changes with regard to this information without delay.	Member States shall communicate to the Commission any changes with regard to this information without delay.	Member States shall communicate to the Commission any changes with regard to this information without delay.



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 18(2)				
161	2. Member States may notify the Commission if they are in a position to operate the decentralised IT system earlier than required by this Regulation. The Commission shall make such information available electronically, in particular through the European e-Justice Portal.	2. Member States may <u>shall</u> notify the Commission if they are in a position to operate the decentralised IT system earlier than required by this Regulation. The Commission shall make such information available electronically, in particular through the European e-Justice Portal.	2. Member States may notify the Commission if they are in a position to apply Article 7 or 8 or operate the decentralised IT system earlier than required by this Regulation. The Commission shall make such information available electronically, in particular through the European e-Justice Portal.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
CHAPTER VII				
162	<p>CHAPTER VII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS</p>	<p>CHAPTER VII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS</p>	<p>CHAPTER VII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS</p>	<p>CHAPTER VII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS</p> <p>Text Origin: Commission Proposal</p>
Article 19				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
163	<p>Article 19</p> <p>Amendments to Regulation (EC) No 1896/2006</p>	<p>Article 19</p> <p>Amendments to Regulation (EC) No 1896/2006</p>	<p>Article 19</p> <p>Article 19</p> <p>Amendments to Regulation (EC) No 1896/2006¹</p> <hr/> <p>1. Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ L 399, 30.12.2006, p. 1).</p>	
Article 19, first paragraph				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
164	Regulation (EC) No 1896/2006 is amended as follows:	Regulation (EC) No 1896/2006 is amended as follows:	Regulation (EC) No 1896/2006 is amended as follows:	Regulation (EC) No 1896/2006 is amended as follows: Text Origin: Commission Proposal
Article 19, first paragraph, point (1)				
165	(1) In Article ,7 paragraph 5 is replaced by the following:	(1) In Article ,7 paragraph 5 is replaced by the following:	(1) In Article ,7 paragraph 5 is replaced by the following:	(1) In Article ,7 paragraph 5 is replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19, first paragraph, point (1), amending provision, numbered paragraph (5)				
166	<p>“</p> <p>5. The application shall be submitted in paper form, by electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹, or by any other means of communication, including electronic, accepted by the Member State of origin and available to the court of origin ..</p> <p>_____</p> <p>”</p>	<p>“</p> <p>5. The application shall be submitted in paper form, by electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹; or[*], <u>or, where the use of such means is not possible in duly identified exceptional cases,</u> by any other means of communication, including electronic, accepted by the Member State of origin and available to the court of origin-¹.”</p>	<p>“</p> <p>5. The application shall be submitted in paper form, by electronic means of communication provided for in Article-5 4 of Regulation (EU) .../...[this Regulationthis Regulation]¹*, in paper form ,or by any other means of communication, including electronic, accepted by the Member State of origin and available to the court of origin-.”</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p><u>* Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</u></p> <p>”</p> <p>†. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	<p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i>matters, and amending certain acts in the field of judicial cooperation (OJ L...).</i>		
Article 19, first paragraph, point (2)				
167	(2) In Article 7, paragraph 6, the first sub-paragraph is replaced by the following:	(2) In Article 7, paragraph 6, the first sub-paragraph is replaced by the following:	(2) In Article 7, paragraph 6, the first sub-paragraph is replaced by the following:	(2) In Article 7, paragraph 6, the first sub-paragraph is replaced by the following: Text Origin: Commission Proposal
Article 19, first paragraph, point (2), amending provision, numbered paragraph (6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
168	<p>“</p> <p>6. The application shall be signed by the claimant or, where applicable, by his representative. Where the application is submitted in electronic form in accordance with paragraph 5, it shall be signed in accordance with Article 9(3) of Regulation (EU) .../...[this Regulation]¹. The electronic signature shall be recognised in the Member State of origin and may not be made subject to additional requirements..</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the</p>	<p>“</p> <p>6. The application shall be signed by the claimant or, where applicable, by his representative. Where the application is submitted in electronic form in accordance with paragraph 5, it shall be signed in accordance with Article 9(3) of Regulation (EU) .../...[this Regulation]¹. The electronic signature shall be recognised in the Member State of origin and may not be made subject to additional requirements..</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the</p>	<p>“</p> <p>6. The application shall be signed by the claimant or, where applicable, by his representative. Where the application is submitted in electronic form in accordance with paragraph 5, the requirement to sign the application it shall be signed fulfilled in accordance with Article 9(3) of Regulation (EU) .../...[this Regulation this Regulation]¹*. The electronic signature shall be recognised in the Member State of origin and may not be made subject to additional requirements.”.</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	<p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
168a			<p>(3) In Article 13 a new paragraph 2 is inserted as follows:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
168b			"(2) The European order for payment may be served on the defendant by electronic means of service provided for in Article 19 and Article 19a of Regulation (EU) 2020/1784."	
Article 19, first paragraph, point (3)				
169	(3) Article 16 is amended as follows:	(3) Article 16 is amended as follows:	(3) (4) Article 16 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19, first paragraph, point (3)(a)				
170	(a) paragraph 4 is replaced by the following:	(a) paragraph 4 is replaced by the following:	(a) paragraph 4 is replaced by the following:	(a) paragraph 4 is replaced by the following: Text Origin: Commission Proposal
Article 19, first paragraph, point (3)(a), amending provision, numbered paragraph (4)				
171	“ 4. The statement of opposition	“ 4. The statement of opposition	“ 4. The statement of opposition	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>shall be submitted in paper form or by electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹, or by any other means of communication, including electronic, accepted by the Member State of origin and available to the court of origin..</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial</p>	<p>shall be submitted in paper form or by electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹, or [*], <u>or, where the use of such means is not possible in duly identified exceptional cases,</u> by any other means of communication, including electronic, accepted by the Member State of origin and available to the court of origin."¹.</p> <p>_____</p> <p><u>* Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the</u></p>	<p>shall be submitted in paper form or by electronic means of communication provided for in Article 5 4 of Regulation (EU) .../...[this Regulation ^{this Regulation}]¹*, in paper form or by any other means of communication, including electronic, accepted by the Member State of origin and available to the court of origin."¹.</p> <p>_____</p> <p>1. ^{**} Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	cooperation (OJ L ...).	<p><u>field of judicial cooperation (OJ L ...)</u>.</p> <p>„</p> <hr/> <p><i>1. *Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</i></p>	<p>matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 19, first paragraph, point (3)(b)				
172				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) in paragraph 5, the first subparagraph is replaced by the following:	(b) in paragraph 5, the first subparagraph is replaced by the following:	(b) in paragraph 5, the first subparagraph is replaced by the following:	(b) in paragraph 5, the first subparagraph is replaced by the following: Text Origin: Commission Proposal
Article 19, first paragraph, point (3)(b), amending provision, numbered paragraph (5)				
173	“ 5. The statement of opposition shall be signed by the defendant or, where applicable, by his representative. Where the application is submitted in electronic form in accordance with	“ 5. The statement of opposition shall be signed by the defendant or, where applicable, by his representative. Where the application is submitted in electronic form in accordance with	“ 5. The statement of opposition shall be signed by the defendant or, where applicable, by his representative. Where the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>paragraph 5 of this Article, it shall be signed in accordance with Article 9(3) of Regulation (EU) .../...[this Regulation]¹. The electronic signature shall be recognised in the Member State of origin and may not be made subject to additional requirements..</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial</p>	<p>paragraph 5 of this Article, it shall be signed in accordance with Article 9(3) of Regulation (EU) .../...[this Regulation]¹. The electronic signature shall be recognised in the Member State of origin and may not be made subject to additional requirements..</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial</p>	<p>application is submitted in electronic form in accordance with paragraph 5 4 of this Article, the requirement to sign the application it shall be signed fulfilled in accordance with Article 9(3) of Regulation (EU) .../...[this Regulation this Regulation]^{1*}. The electronic signature shall be recognised in the Member State of origin and may not be made subject to additional requirements.”.</p> <p style="text-align: right;">”</p> <hr/> <p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	cooperation (OJ L ...).	cooperation (OJ L ...).	civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 20				
174	Article 20 Amendments to Regulation (EC) No 861/2007	Article 20 Amendments to Regulation (EC) No 861/2007	Article 20 Amendments to Regulation (EC) No 861/2007 ¹ 1. Regulation (EC) No 861/2007 of the European Parliament and of the Council	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of 11 July 2007 establishing a European Small Claims Procedure (OJ L 199, 31.7.2007, p. 1).	
Article 20, first paragraph				
175	Regulation (EC) No 861/2007 is amended as follows:	Regulation (EC) No 861/2007 is amended as follows:	Regulation (EC) No 861/2007 is amended as follows:	Regulation (EC) No 861/2007 is amended as follows: Text Origin: Commission Proposal
Article 20, first paragraph, point (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
176	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 20, first paragraph, point (1), amending provision, numbered paragraph (1)				
177	“ 1. The claimant shall commence the European Small Claims Procedure by filling in standard claim Form A, as set out in Annex I to this Regulation, and lodging it	“ 1. The claimant shall commence the European Small Claims Procedure by filling in standard claim Form A, as set out in Annex I to this Regulation, and lodging it	“ 1. The claimant shall commence the European Small Claims Procedure by filling in standard claim Form A, as set out in Annex I to this Regulation, and lodging it	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>with the court or tribunal with jurisdiction directly, by post, by electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹ or by any other means of communication, such as fax or e-mail, acceptable to the Member State in which the procedure is commenced. The claim form shall include a description of evidence supporting the claim and be accompanied, where appropriate, by any relevant supporting documents..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>with the court or tribunal with jurisdiction directly, by post, by electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹ or, [*] <u>where the use of such means is not possible in duly identified exceptional cases,</u> by any other means of communication, such as fax or e-mail, acceptable to the Member State in which the procedure is commenced. The claim form shall include a description of evidence supporting the claim and be accompanied, where appropriate, by any relevant supporting documents..”</p> <hr/> <p><u>* Regulation (EU) [...] of the</u></p>	<p>with the court or tribunal with jurisdiction directly, by post, by electronic means of communication provided for in Article 5 4 of Regulation (EU) .../...[this Regulation this Regulation]^{1*} or by any other means of communication, such as fax or e-mail, acceptable to the Member State in which the procedure is commenced. The claim form shall include a description of evidence supporting the claim and be accompanied, where appropriate, by any relevant supporting documents.”</p> <p>”</p> <hr/> <p>1. ^{**} Regulation (EU) [...] of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p><u><i>European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</i></u></p> <p>”</p> <hr/> <p><i>1. * -Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial</i></p>	<p>the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i>cooperation (OJ L...).</i>		
177a			(2) In article 13, paragraph 1(a) is replaced by the following:	
177b			"(a) by postal service,"	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
177c			(3) In Article 13, paragraph 1(b) is replaced by the following:	
177d			"(b) by electronic means of service provided for in Article 19 and Article 19a of Regulation (EU) 2020/1784; or".	
177e			(4) In Article 13, paragraph 1, a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			new point (c) is inserted as follows:	
177f			"(c) through the European electronic access point established under Article 4(1) of Regulation (EU) ... / ... [this Regulation], provided that the addressee gave prior express consent to the use of this means for service of documents in the course of these legal proceedings.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
177g			(5) In Article 13, paragraph 2 is replaced by the following:	
177h			"2. All communications not referred to in paragraph 1 between the court or tribunal and the parties or other persons involved in the proceedings shall be carried out by electronic means attested by an acknowledgment of receipt, where such means are technically available and admissible in accordance with the procedural	

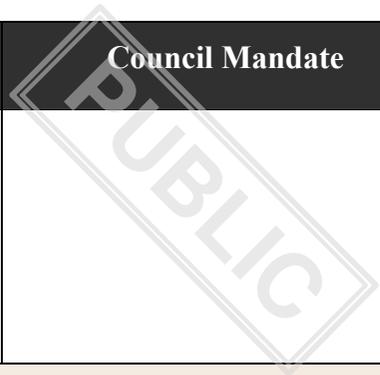
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>rules of the Member State in which the European Small Claims Procedure is conducted, provided that the party or person has accepted in advance such means of communication or is, in accordance with the procedural rules of the Member State in which that party or person is domiciled or habitually resident, under a legal obligation to accept such means of communication or by electronic means of communication provided for in Article 4 of Regulation (EU).../... [this Regulation]."</p>	
Article 20, first paragraph, point (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
178	(2) In Article 15a, paragraph 2 is replaced by the following:	(2) In Article 15a, paragraph 2 is replaced by the following:	(2) (6) In Article 15a, paragraph 2 is replaced by the following:	
Article 20, first paragraph, point (2), amending provision, numbered paragraph (2)				
179	“ 2. The Member States shall ensure that the parties can make electronic payments of court fees by means of distance payment methods which allow the parties to make the payment also from a Member State other than the Member State in which the court or tribunal is situated, in accordance with Article	“ 2. The Member States shall ensure that the parties can make electronic payments of court fees by means of distance payment methods which allow the parties to make the payment also from a Member State other than the Member State in which the court or tribunal is situated, in accordance with Article	“ 2. The Member States shall ensure that the parties can make electronic payments of court fees by means of distance payment methods which allow the parties to make the payment also from a Member State other than the Member State in which the court or tribunal is situated, in accordance with Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>11 of Regulation (EU) .../...[this Regulation]¹.</p> <p>“</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>11 of Regulation (EU) .../...[this Regulation]¹.</p> <p>“</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>11 of Regulation (EU) .../...[this Regulation]¹*</p> <p>“</p> <hr/> <p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 21				
180				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Article 21</p> <p>Amendments to Regulation (EU) No 655/2014</p>	<p>Article 21</p> <p>Amendments to Regulation (EU) No 655/2014</p>	<p>Article 21</p> <p>Amendments to Regulation (EU) No 655/2014¹</p> <hr/> <p>1. Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters (OJ L 189, 27.6.2014, p. 59).</p>	



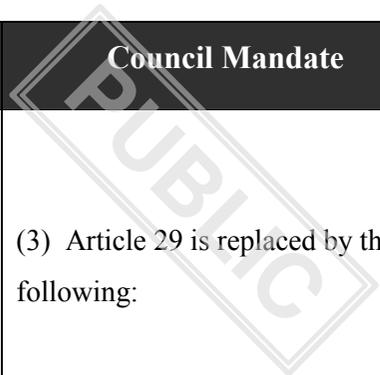


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 21, first paragraph, point (1), amending provision, numbered paragraph (4)				
183	<p>“</p> <p>4. The application and supporting documents may be submitted by any means of communication, including electronic, which are accepted under the procedural rules of the Member State in which the application is lodged or by the electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹.</p>	<p>“</p> <p>4. The application and supporting documents may be submitted by any means of communication, including electronic, which are accepted under the procedural rules of the Member State in which the application is lodged or by the electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹.</p>	<p>“</p> <p>4. The application and supporting documents may be submitted by any means of communication, including electronic, which are accepted under the procedural rules of the Member State in which the application is lodged or by the electronic means of communication provided for in Article-5 4 of Regulation (EU) .../...[<i>this Regulation</i>this</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Regulation]¹*.”</p> <p>”</p> <p>_____</p> <p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 21, first paragraph, point (2)				
G	184			G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(2) In Article 17, paragraph 5 is replaced by the following:	(2) In Article 17, paragraph 5 is replaced by the following:	(2) In Article 17, paragraph 5 is replaced by the following:	(2) In Article 17, paragraph 5 is replaced by the following: Text Origin: Commission Proposal
Article 21, first paragraph, point (2), amending provision, numbered paragraph (5)				
185	“ 5. The decision on the application shall be brought to the notice of the creditor in accordance with the procedure provided for by the law of the Member State of origin for equivalent national orders or by the electronic means of	“ 5. The decision on the application shall be brought to the notice of the creditor in accordance with the procedure provided for by the law of the Member State of origin for equivalent national orders or by the electronic means of	“ 5. The decision on the application shall be brought to the notice of the creditor in accordance with the procedure provided for by the law of the Member State of origin for equivalent national orders or by the electronic means of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>communication provided for in Article-5 4 of Regulation (EU) .../...[this Regulation this Regulation]^{1*}..”.</p> <p>”</p> <hr/> <p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 21, first paragraph, point (3)				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
186	(3) Article 29 is replaced by the following:	(3) Article 29 is replaced by the following:	(3) Article 29 is replaced by the following:	(3) Article 29 is replaced by the following: Text Origin: Commission Proposal
Article 21, first paragraph, point (3), amending provision, first paragraph				
187	“ Article 29 Transmission of documents	“ Article 29 Transmission of documents	“ <i>Article 29</i> <i>Transmission of documents</i> Article 29	“ Article 29 Transmission of documents

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Transmission of documents	Text Origin: Commission Proposal
Article 21, first paragraph, point (3), amending provision, numbered paragraph (1)				
188	1. Where this Regulation provides for transmission of documents in accordance with this Article, such transmission shall be carried out in accordance with Regulation (EU) .../...[this Regulation] ¹ as regards the communication between authorities, or by any appropriate means where communication is to be carried out by creditors, provided that the content of the document received is true and faithful to that of the document	1. Where this Regulation provides for transmission of documents in accordance with this Article, such transmission shall be carried out in accordance with Regulation (EU) .../...[this Regulation] ⁺ as regards the communication between authorities, or by any appropriate means where communication is to be carried out by creditors, provided that the content of the document received is true and faithful to that of the document	1. Where this Regulation provides for transmission of documents in accordance with this Article, such transmission shall be carried out in accordance with Regulation (EU) .../...[this Regulation] ^{1*} as regards the communication between authorities, or by any appropriate means where communication is to be carried out by creditors, provided that the content of the document received is true and faithful to that of the document	

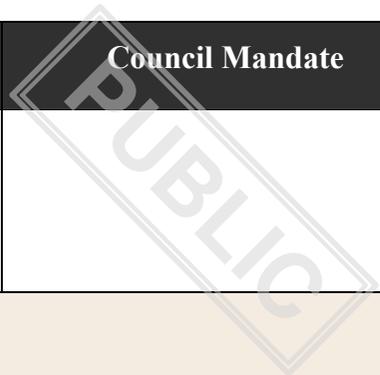
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>transmitted and that all information contained in it is easily legible.”.</p> <p>_____</p> <p>1.</p>	<p>transmitted and that all information contained in it is easily legible.”.</p> <p>_____</p> <p>1.</p>	<p>transmitted and that all information contained in it is easily legible.”.</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
<p>Article 21, first paragraph, point (3), amending provision, numbered paragraph (2)</p>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
189	2. The court or authority that received documents in accordance with paragraph 1 of this Article shall, by the end of the working day following the day of receipt, send to:	2. The court or authority that received documents in accordance with paragraph 1 of this Article shall, by the end of the working day following the day of receipt, send to:	2. The court or authority that received documents in accordance with paragraph 1 of this Article shall, by the end of the working day following the day of receipt, send to:	2. The court or authority that received documents in accordance with paragraph 1 of this Article shall, by the end of the working day following the day of receipt, send to: Text Origin: Commission Proposal
Article 21, first paragraph, point (3), amending provision, numbered paragraph (2), point (a)				
190	(a) the authority that transmitted the documents an acknowledgment of receipt, in accordance with	(a) the authority that transmitted the documents an acknowledgment of receipt, in accordance with	(a) the authority that transmitted the documents an acknowledgment of receipt, in accordance with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Article 3 of Regulation (EU) .../...[this Regulation]¹; or</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Article 3 of Regulation (EU) .../...[this Regulation]¹; or</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Article 3 of Regulation (EU) .../...[this Regulation¹]; or or</p> <p>_____</p> <p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 21, first paragraph, point (3), amending provision, numbered paragraph (2), point (b)				
191				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) creditor or bank that transmitted the documents an acknowledgment of receipt employing the swiftest possible means of transmission.	(b) creditor or bank that transmitted the documents an acknowledgment of receipt employing the swiftest possible means of transmission.	(b) creditor or bank that transmitted the documents an acknowledgment of receipt employing the swiftest possible means of transmission.	(b) creditor or bank that transmitted the documents an acknowledgment of receipt employing the swiftest possible means of transmission. Text Origin: Commission Proposal
Article 21, first paragraph, point (3), amending provision, numbered paragraph (2), first paragraph				
192	The court or authority that received documents in accordance with paragraph 1 of this Article shall use the standard form established by means of implementing acts	The court or authority that received documents in accordance with paragraph 1 of this Article shall use the standard form established by means of implementing acts	The court or authority that received documents in accordance with paragraph 1 of this Article shall us use the standard form established by means of implementing acts	The court or authority that received documents in accordance with paragraph 1 of this Article shall us <u>use</u> the standard form established by means of implementing acts

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	adopted in accordance with the advisory procedure referred to in Article 52(2).”.	adopted in accordance with the advisory procedure referred to in Article 52(2).”.	adopted in accordance with the advisory procedure referred to in Article 52(2).”.	adopted in accordance with the advisory procedure referred to in Article 52(2).”.
	“	“	“	“
				Text Origin: Council Mandate
Article 21, first paragraph, point (4)				
193	(4) Article 36 is amended as follows:			
				Text Origin:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Article 21, first paragraph, point (4)(a)				
194	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 21, first paragraph, point (4)(a), amending provision, numbered paragraph (1)				
195	“	“	“	“

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. The application for a remedy pursuant to Article 33, 34 or 35 shall be made using the remedy form established by means of implementing acts adopted in accordance with the advisory procedure referred to in Article 52(2).	1. The application for a remedy pursuant to Article 33, 34 or 35 shall be made using the remedy form established by means of implementing acts adopted in accordance with the advisory procedure referred to in Article 52(2).	1. The application for a remedy pursuant to Article 33, 34 or 35 shall be made using the remedy form established by means of implementing acts adopted in accordance with the advisory procedure referred to in Article 52(2).	1. The application for a remedy pursuant to Article 33, 34 or 35 shall be made using the remedy form established by means of implementing acts adopted in accordance with the advisory procedure referred to in Article 52(2). Text Origin: Commission Proposal
Article 21, first paragraph, point (4)(a), amending provision, numbered paragraph (1), first paragraph				
196	The application may be made at any time and may be submitted:	The application may be made at any time and may be submitted:	The application may be made at any time and may be submitted:	The application may be made at any time and may be submitted:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 21, first paragraph, point (4)(a), amending provision, numbered paragraph (1), first paragraph, point (a)				
197	(a) by any means of communication, including electronic means, which are accepted under the procedural rules of the Member State in which the application is lodged;	(a) by any means of communication, including electronic means, which are accepted under the procedural rules of the Member State in which the application is lodged;	(a) by any means of communication, including electronic means, which are accepted under the procedural rules of the Member State in which the application is lodged;	(a) by any means of communication, including electronic means, which are accepted under the procedural rules of the Member State in which the application is lodged; Text Origin:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Article 21, first paragraph, point (4)(a), amending provision, numbered paragraph (1), first paragraph, point (b)				
198	<p>(b) by the electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil,</p>	<p>(b) by the electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil,</p>	<p>(b) by the electronic means of communication provided for in Article-5 4 of Regulation (EU) .../...[this Regulationthis Regulation]^{1*}.”</p> <p>”</p> <hr/> <p>1. ^{**} Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 21, first paragraph, point (4)(b)				
199	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following: Text Origin: Commission Proposal
Article 21, first paragraph, point (4)(b), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
200	<p>“</p> <p>3. Except where the application was submitted by the debtor pursuant to Article 34(1), point (a) or pursuant to Article 35(3), the decision on the application shall be issued after both parties have been given the opportunity to present their case, including by such appropriate means of communication technology as are available and accepted under the national law of each of the Member States involved or under Regulation (EU) .../...[this Regulation]¹..</p> <p>”</p>	<p>“</p> <p>3. Except where the application was submitted by the debtor pursuant to Article 34(1), point (a) or pursuant to Article 35(3), the decision on the application shall be issued after both parties have been given the opportunity to present their case, including by such appropriate means of communication technology as are available and accepted under the national law of each of the Member States involved or under Regulation (EU) .../...[this Regulation]¹..</p> <p>”</p>	<p>“</p> <p>3. Except where the application was submitted by the debtor pursuant to Article 34(1), point (a) or pursuant to Article 35(3), the decision on the application shall be issued after both parties have been given the opportunity to present their case, including by such appropriate means of communication technology as are available and accepted under the national law of each of the Member States involved or under Regulation (EU) .../...[this Regulation]¹*..”.</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>_____</p> <p>1. ** Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 22				
201	<p>Article 22</p> <p>Amendments to Regulation</p>	<p>Article 22</p> <p>Amendments to Regulation</p>	<p>Article 22</p>	<p>Article 22</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	848/2015	848/2015	<p>Amendments to Regulation 848/2015 Regulation 2015/848¹</p> <hr/> <p>1. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19)</p>	<p>Amendments to <i>Regulation</i> 848/2015 <i>Regulation 2015/848</i>¹</p> <hr/> <p><u>1. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19)</u></p> <p>Text Origin: Council Mandate</p>
Article 22, first paragraph				
202				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EU) 848/2015 is amended as follows:	Regulation (EU) 848/2015 is amended as follows:	Regulation (EU)-848/2015 2015/848 is amended as follows:	Regulation (EU)- 848/2015 <u>2015/848</u> is amended as follows: Text Origin: Council Mandate
Article 22, first paragraph, point (1)				
203	(1) In Article 42, paragraph 3, the first sentence is replaced by the following: “The cooperation referred to in paragraph 1 of this Article shall be implemented in accordance with Article 3 of Regulation (EU) .../... [this regulation]*,”.	(1) In Article 42, paragraph 3, the first sentence is replaced by the following: “The cooperation referred to in paragraph 1 of this Article shall be implemented in accordance with Article 3 of Regulation (EU) .../... [this regulation]*,”.	(1) In Article 42, paragraph 3, the first sentence is replaced by the following: "The cooperation referred to in paragraph 1 of this Article shall be implemented– in accordance with Article 3 of Regulation (EU) .../... [this this Regulation]*,“ ¹ ,”.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 22, first paragraph, point (2)				
204	(2) Article 53 is replaced by the	(2) Article 53 is replaced by the		(2) Article 53 is replaced by the



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following:	following:		following: Text Origin: Commission Proposal
Article 22, first paragraph, point (2), amending provision, first paragraph				
205	“ Article 53 Right to lodge claims	“ Article 53 Right to lodge claims	“ Article 53 Right to lodge claims	“ Article 53 Right to lodge claims ” Text Origin:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Article 22, first paragraph, point (2), amending provision, second paragraph				
206	<p>Any foreign creditor may lodge claims in insolvency proceedings by any means of communication, which are accepted by the law of the State of the opening of proceedings or by the electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹.</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>Any foreign creditor may lodge claims in insolvency proceedings by any means of communication, which are accepted by the law of the State of the opening of proceedings or by the electronic means of communication provided for in Article 5 of Regulation (EU) .../...[this Regulation]¹.</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>Any foreign creditor may lodge claims in insolvency proceedings by any means of communication, which are accepted by the law of the State of the opening of proceedings or by the electronic means of communication provided for in Article-5 4 of Regulation (EU) .../... [this Regulation]^{1*}.</p> <p>_____</p> <p>1. ** Regulation (EU) [...] of the European Parliament and of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 22, first paragraph, point (2), amending provision, third paragraph				
207	Representation by a lawyer or another legal professional shall not be mandatory for the sole purpose of lodging of claims.. ”	Representation by a lawyer or another legal professional shall not be mandatory for the sole purpose of lodging of claims.. ”	Representation by a lawyer or another legal professional shall not be mandatory for the sole purpose of lodging of claims.". ”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22, first paragraph, point (3)				
208	(3) In Article 57 paragraph 3, the first sentence is replaced by the following:	(3) In Article 57 paragraph 3, the first sentence is replaced by the following:	(3) In Article 57 paragraph 3, the first sentence is replaced by the following:	
Article 22, first paragraph, point (3), amending provision, first paragraph				
209	“ The cooperation referred to in paragraph 1 of this Article shall be implemented in accordance with Article 3 of Regulation (EU) .../... [this regulation]*.. ”	“ The cooperation referred to in paragraph 1 of this Article shall be implemented in accordance with Article 3 of Regulation (EU) .../... [this regulation]*.. ”	“ "The cooperation referred to in paragraph 1 of this Article shall be implemented in accordance with Article 3 of Regulation (EU) .../... [this this -Regulation]* ¹ ". ”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
209a			Article 22a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Amendments to Regulation (EC) No 805/2004¹</p> <hr/> <p>1. Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims (OJ L 143, 30.4.2004, p. 15).</p>	
209b			Regulation (EU) 805/2004 is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			amended as follows:	
209c			In Article 13, paragraph 1, a new point (e) is inserted as follows:	
209d			" (e) electronic means of service provided for in Article 19 and Article 19a of Regulation (EU) 2020/1784."	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			"	
209e			<p>Article 22b</p> <p>Amendments to Regulation (EU) No 606/2013¹</p> <hr style="width: 10%; margin: 10px auto;"/> <p>1. Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters (OJ</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			L 181, 29.6.2013, p. 4).	
209f			Regulation (EU) 606/2013 is amended as follows:	
209g			(1) In Article 8, paragraph 2 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209h			<p>"</p> <p>2. Where the person causing the risk resides in the Member State of origin, the notification shall be effected in accordance with the law of that Member State. Where the person causing the risk resides in a Member State other than the Member State of origin, the notification shall be effected by registered letter with acknowledgment of receipt or equivalent or by electronic means of service provided for in Article 19 and Article 19a of Regulation (EU) 2020/1784. Where the person causing the risk resides in a third country, the notification shall be</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>effected by registered letter with acknowledgment of receipt or equivalent.</p>	
209i			<p>Situations in which the address of the person causing the risk is not known or in which that person refuses to accept receipt of the notification shall be governed by the law of the Member State of origin."</p> <p style="text-align: right;">"</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209j			(2) In Article 11, paragraph 4 is replaced by the following:	
209k			" 4. Where the person causing the risk resides in the Member State addressed, the notification shall be effected in accordance with the law of that Member State. Where the person causing the risk resides in a Member State other than the Member State addressed, the notification shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>be effected by registered letter with acknowledgment of receipt or equivalent or by electronic means of service provided for in Article 19 and Article 19a of Regulation (EU) 2020/1784.</p> <p>Where the person causing the risk resides in a third country, the notification shall be effected by registered letter with acknowledgment of receipt or equivalent.</p>	
2091			<p>Situations in which the address of the person causing the risk is not known or in which that</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>person refuses to accept receipt of the notification shall be governed by the law of the Member State addressed."</p> <p style="text-align: right;">"</p>	
209m			<p style="text-align: center;">Article 22c</p> <p style="text-align: center;">Amendments to Regulation (EU) 2020/1784¹</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">1. Regulation (EU) 2020/1784 of the European Parliament</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast) (OJ L 405, 2.12.2020, p. 40).</p>	
209n			<p>Regulation (EU) 2020/1784 is amended as follows:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209o			<p>(1) Article 12, paragraph 7 is replaced by the following:</p>	
209p			<p>"</p> <p>(7) For the purposes of paragraphs 1 and 2, the diplomatic agents or consular officers in cases where service is effected in accordance with Article 17, and the authority or person in cases where service is effected in accordance with Article 18, 19, 19a or 20 shall</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>inform the addressee that the addressee may refuse to accept the document and that either form L in Annex I or a written declaration of refusal must be sent to those agents or officers or to that authority or person respectively.</p> <p style="text-align: right;">"</p>	
209q			<p>(2) Article 13, paragraph 3 is replaced by the following:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209r			<p>"</p> <p>(3) This Article also applies to the other means of transmission and service of judicial documents provided for in Section 2 with the exception of Article 19a."</p> <p>"</p>	
209s			<p>(3) the following Article is inserted after Article 19:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209t			<p>"</p> <p>Article 19a</p> <p>Electronic service through the European electronic access point</p>	
209u			<p>(1) The service of judicial documents may be effected directly on a person who has a known address for service in another Member State through the European electronic access</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>point established under Article 4(1) of Regulation (EU) .../... [Digitalisation Regulation], provided that the addressee gave prior express consent to the use of this electronic means for serving documents in the course of these legal proceedings.</p>	
209v			<p>(2) The addressee shall confirm the receipt of the documents with an acknowledgment of receipt, including the date of the receipt. The date of service of documents shall be the date specified in the acknowledgment of receipt. The</p>	

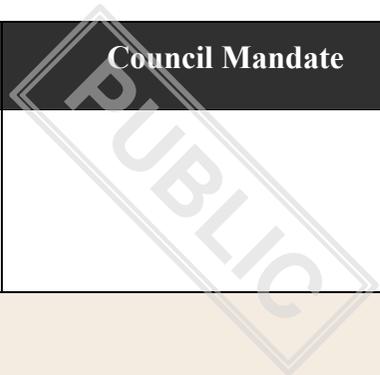
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>same applies in case of service of refused documents remedied in accordance with Article 12(5)."</p> <p>"</p>	
209w			<p>(4) In Article 37, new paragraph 3 is added as follows:</p>	
209x			<p>"</p> <p>(3) Article 19a shall apply from</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>the first day of the month following the period of three years after the date of entry into force of the implementing acts referred to in Article 12(3) of Regulation (EU) .../...[this Regulation]."</p> <p style="text-align: right;">"</p>	
CHAPTER VIII				
210	<p>CHAPTER VIII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS</p>	<p>CHAPTER VIII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS</p>	<p>CHAPTER VIII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS</p>	<p>CHAPTER VIII</p> <p>AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS</p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 23				
211	Article 23 Amendments in Regulation (EU) 2018/1805	Article 23 Amendments in Regulation (EU) 2018/1805	Article 23 Amendments in Amendments to Regulation (EU) 2018/1805 ¹ 1. Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14	Article 23 Amendments in <u>Amendments to</u> Regulation (EU) 2018/1805 ¹ <u>1. Regulation (EU) 2018/1805</u> <u>of the European Parliament</u> <u>and of the Council of 14</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			November 2018 on the mutual recognition of freezing orders and confiscation orders (OJ L 303, 28.11.2018, p. 1).	<u>November 2018 on the mutual recognition of freezing orders and confiscation orders (OJ L 303, 28.11.2018, p. 1).</u> Text Origin: Council Mandate
Article 23, first paragraph				
212	Regulation (EU) 2018/1805 is amended as follows:	Regulation (EU) 2018/1805 is amended as follows:	Regulation (EU) 2018/1805 is amended as follows:	Regulation (EU) 2018/1805 is amended as follows: Text Origin:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Article 23, first paragraph, point (1)				
213	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 23, first paragraph, point (1), amending provision, numbered paragraph (1)				
214	“	“	“	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. A freezing order shall be transmitted by means of a freezing certificate. The issuing authority shall transmit the freezing certificate provided for in Article 6 of this Regulation directly to the executing authority or, where applicable, to the central authority referred to in Article 24(2) of this Regulation in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹..</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access</p>	<p>1. A freezing order shall be transmitted by means of a freezing certificate. The issuing authority shall transmit the freezing certificate provided for in Article 6 of this Regulation directly to the executing authority or, where applicable, to the central authority referred to in Article 24(2) of this Regulation in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹..</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access</p>	<p>1. A freezing order shall be transmitted by means of a freezing certificate. The issuing authority shall transmit the freezing certificate provided for in Article 6 of this Regulation directly to the executing authority or, where applicable, to the central authority referred to in Article 24(2) of this Regulation in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹..</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (2)				
215	(2) In Article 7, paragraph 2 is replaced by the following:	(2) In Article 7, paragraph 2 is replaced by the following:	(2) In Article 7, paragraph 2 is replaced by the following:	(2) In Article 7, paragraph 2 is replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23, first paragraph, point (2), amending provision, numbered paragraph (2)				
216	<p>“</p> <p>2. The executing authority shall report to the issuing authority on the execution of the freezing order, including a description of the property frozen and, where available, providing an estimate of its value. Such reporting shall be carried out in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, without undue delay once the executing authority has been informed that the freezing order has been executed.</p> <p>”</p>	<p>“</p> <p>2. The executing authority shall report to the issuing authority on the execution of the freezing order, including a description of the property frozen and, where available, providing an estimate of its value. Such reporting shall be carried out in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, without undue delay once the executing authority has been informed that the freezing order has been executed.</p> <p>”</p>	<p>“</p> <p>2. The executing authority shall report to the issuing authority on the execution of the freezing order, including a description of the property frozen and, where available, providing an estimate of its value. Such reporting shall be carried out in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, without undue delay once the executing authority has been informed that the freezing order has been executed.”</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 23, first paragraph, point (3)				
217	(3) In Article 8, paragraph 3 is replaced by the following:	(3) In Article 8, paragraph 3 is replaced by the following:	(3) In Article 8, paragraph 3 is replaced by the following:	(3) In Article 8, paragraph 3 is replaced by the following:



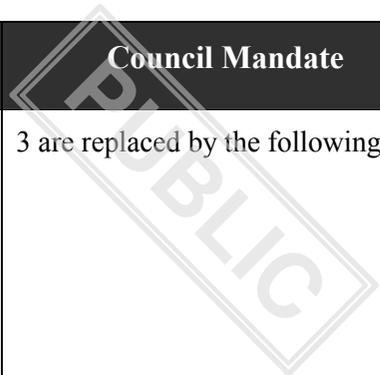
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 23, first paragraph, point (3), amending provision, numbered paragraph (3)				
218	<p>“</p> <p>3. Any decision not to recognise or execute the freezing order shall be taken without delay and notified immediately to the issuing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p>	<p>“</p> <p>3. Any decision not to recognise or execute the freezing order shall be taken without delay and notified immediately to the issuing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p>	<p>“</p> <p>3. Any decision not to recognise or execute the freezing order shall be taken without delay and notified immediately to the issuing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.”</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 23, first paragraph, point (4)				
219	(4) In Article 9, paragraph 4 is replaced by the following:	(4) In Article 9, paragraph 4 is replaced by the following:	(4) In Article 9, paragraph 4 is replaced by the following:	(4) In Article 9, paragraph 4 is replaced by the following:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 23, first paragraph, point (4), amending provision, numbered paragraph (4)				
220	“ 4. The executing authority shall communicate, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation] ¹ , the decision on the recognition and execution of the freezing order to the issuing authority.	“ 4. The executing authority shall communicate, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation] ¹ , the decision on the recognition and execution of the freezing order to the issuing authority.	“ 4. The executing authority shall communicate, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation] ¹ , the decision on the recognition and execution of the freezing order to the issuing authority.”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 23, first paragraph, point (5)				
221	(5) In Article 10, paragraphs 2 and	(5) In Article 10, paragraphs 2 and	(5) In Article 10, paragraphs 2 and	(5) In Article 10, paragraphs 2 and



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3 are replaced by the following:	3 are replaced by the following:	3 are replaced by the following:	3 are replaced by the following: Text Origin: Commission Proposal

Article 23, first paragraph, point (5), amending provision, numbered paragraph (2)

222	“ 2. The executing authority shall, immediately and in accordance with Article 3 of Regulation (EU) .../[this Regulation] ¹ , report to the issuing authority on the postponement of the execution of the freezing order, specifying the grounds for the postponement and,	“ 2. The executing authority shall, immediately and in accordance with Article 3 of Regulation (EU) .../[this Regulation] ¹ , report to the issuing authority on the postponement of the execution of the freezing order, specifying the grounds for the postponement and,	“ 2. The executing authority shall, immediately and in accordance with Article 3 of Regulation (EU) .../[this Regulation]¹ , report to the issuing authority on the postponement of the execution of the freezing order, specifying the grounds for the postponement and,	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>where possible, the expected duration of the postponement.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>where possible, the expected duration of the postponement.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>where possible, the expected duration of the postponement.”</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 23, first paragraph, point (5), amending provision, numbered paragraph (3)				
223				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>“</p> <p>3. As soon as the grounds for postponement have ceased to exist, the executing authority shall immediately take the measures necessary for the execution of the freezing order and inform the issuing authority thereof in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil,</p>	<p>“</p> <p>3. As soon as the grounds for postponement have ceased to exist, the executing authority shall immediately take the measures necessary for the execution of the freezing order and inform the issuing authority thereof in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil,</p>	<p>“</p> <p>3. As soon as the grounds for postponement have ceased to exist, the executing authority shall immediately take the measures necessary for the execution of the freezing order and inform the issuing authority thereof in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.”</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (6)				
224	(6) In Article 12, paragraph 2 is replaced by the following:	(6) In Article 12, paragraph 2 is replaced by the following:	(6) In Article 12, paragraph 2 is replaced by the following:	(6) In Article 12, paragraph 2 is replaced by the following: Text Origin: Commission Proposal
Article 23, first paragraph, point (6), amending provision, numbered paragraph (2)				

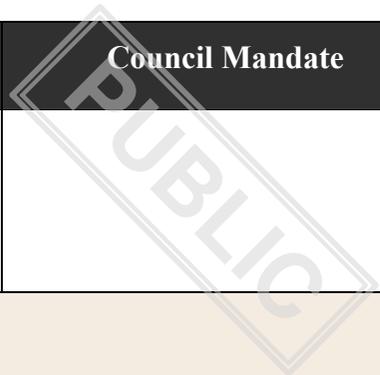
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
225	<p>“</p> <p>2. The executing authority may, taking into account the circumstances of the case, make a reasoned request to the issuing authority to limit the period for which the property is to be frozen. Such a request, including any relevant supporting information, shall be transmitted in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹. When examining such a request, the issuing authority shall take all interests into account, including those of the executing authority. The issuing authority shall respond to the request as soon as possible. If the issuing authority does not</p>	<p>“</p> <p>2. The executing authority may, taking into account the circumstances of the case, make a reasoned request to the issuing authority to limit the period for which the property is to be frozen. Such a request, including any relevant supporting information, shall be transmitted in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹. When examining such a request, the issuing authority shall take all interests into account, including those of the executing authority. The issuing authority shall respond to the request as soon as possible. If the issuing authority does not</p>	<p>“</p> <p>2. The executing authority may, taking into account the circumstances of the case, make a reasoned request to the issuing authority to limit the period for which the property is to be frozen. Such a request, including any relevant supporting information, shall be transmitted in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹ directly to the issuing authority . When examining such a request, the issuing authority shall take all interests into account, including those of the executing authority. The issuing authority shall respond to the request as soon as possible.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>agree to the limitation, it shall inform the executing authority of the reasons thereof. In such a case, the property shall remain frozen in accordance with paragraph 1 of this Article. If the issuing authority does not respond within six weeks of receiving the request, the executing authority shall no longer be obliged to execute the freezing order.</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	<p>agree to the limitation, it shall inform the executing authority of the reasons thereof. In such a case, the property shall remain frozen in accordance with paragraph 1 of this Article. If the issuing authority does not respond within six weeks of receiving the request, the executing authority shall no longer be obliged to execute the freezing order.</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	<p>If the issuing authority does not agree to the limitation, it shall inform the executing authority of the reasons thereof. In such a case, the property shall remain frozen in accordance with paragraph 1 of this Article. If the issuing authority does not respond within six weeks of receiving the request, the executing authority shall no longer be obliged to execute the freezing order.”</p> <p style="text-align: right;">”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (7)				
226	(7) In Article 14, paragraph 1 is replaced by the following:	(7) In Article 14, paragraph 1 is replaced by the following:	(7) In Article 14, paragraph 1 is replaced by the following:	(7) In Article 14, paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 23, first paragraph, point (7), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
227	<p>“</p> <p>1. A confiscation order shall be transmitted by means of a confiscation certificate. The issuing authority shall transmit the confiscation certificate provided for in Article 17 of this Regulation directly to the executing authority or, where applicable, to the central authority referred to in Article 24(2) of this Regulation, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the</p>	<p>“</p> <p>1. A confiscation order shall be transmitted by means of a confiscation certificate. The issuing authority shall transmit the confiscation certificate provided for in Article 17 of this Regulation directly to the executing authority or, where applicable, to the central authority referred to in Article 24(2) of this Regulation, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the</p>	<p>“</p> <p>1. A confiscation order shall be transmitted by means of a confiscation certificate. The issuing authority shall transmit the confiscation certificate provided for in Article 17 of this Regulation directly to the executing authority or, where applicable, to the central authority referred to in Article 24(2) of this Regulation, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (8)				
228	(8) In article 16, paragraph 3, the introductory wording, is replaced by the following:	(8) In article 16, paragraph 3, the introductory wording, is replaced by the following:	(8) In article 16, paragraph 3, the introductory wording, is replaced by the following:	(8) In article 16, paragraph 3, the introductory wording, is replaced by the following: Text Origin:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Article 23, first paragraph, point (8), amending provision, first paragraph				
229	<p>“</p> <p>The issuing authority shall immediately inform the executing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹ where: (...)</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of</p>	<p>“</p> <p>The issuing authority shall immediately inform the executing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹ where: (...)</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of</p>	<p>“</p> <p>"The issuing authority shall immediately inform the executing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹ where: (...)"</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (9)				
230	(9) In Article 18, paragraph 6 is replaced by the following:	(9) In Article 18, paragraph 6 is replaced by the following:	(9) In Article 18, paragraph 6 is replaced by the following:	(9) In Article 18, paragraph 6 is replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23, first paragraph, point (9), amending provision, numbered paragraph (6)				
231	<p>“</p> <p>6. As soon as the execution of the confiscation order has been completed, the executing authority shall inform, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, the issuing authority of the results of the execution.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>“</p> <p>6. As soon as the execution of the confiscation order has been completed, the executing authority shall inform, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, the issuing authority of the results of the execution.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>“</p> <p>6. As soon as the execution of the confiscation order has been completed, the executing authority shall inform, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, the issuing authority of the results of the execution”.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (10)				
232	(10) In Article 19, paragraph 3 is replaced by the following:	(10) In Article 19, paragraph 3 is replaced by the following:	(10) In Article 19, paragraph 3 is replaced by the following:	(10) In Article 19, paragraph 3 is replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23, first paragraph, point (10), amending provision, numbered paragraph (3)				
233	<p>“</p> <p>3. Any decision not to recognise or execute the confiscation order shall be taken without delay and notified immediately to the issuing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>“</p> <p>3. Any decision not to recognise or execute the confiscation order shall be taken without delay and notified immediately to the issuing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>“</p> <p>3. Any decision not to recognise or execute the confiscation order shall be taken without delay and notified immediately to the issuing authority in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.”</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	

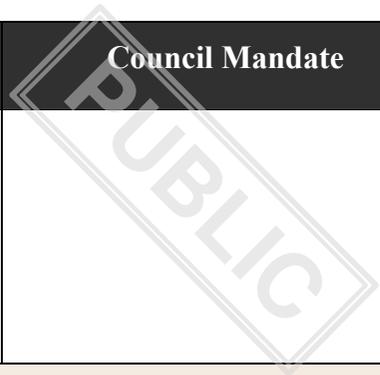
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (11)				
234	(11) In Article 20, paragraph 2 is replaced by the following:	(11) In Article 20, paragraph 2 is replaced by the following:	(11) In Article 20, paragraph 2 is replaced by the following:	(11) In Article 20, paragraph 2 is replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23, first paragraph, point (11), amending provision, numbered paragraph (2)				
235	<p>“</p> <p>2. The executing authority shall communicate, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, the decision on the recognition and execution of the confiscation order to the issuing authority.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>“</p> <p>2. The executing authority shall communicate, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, the decision on the recognition and execution of the confiscation order to the issuing authority.</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	<p>“</p> <p>2. The executing authority shall communicate, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, the decision on the recognition and execution of the confiscation order to the issuing authority.”</p> <p>”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (12)				
236	(12) In Article 21, paragraph 3 is replaced by the following:	(12) In Article 21, paragraph 3 is replaced by the following:	(12) In Article 21, paragraph 3 is replaced by the following:	(12) In Article 21, paragraph 3 is replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23, first paragraph, point (12), amending provision, numbered paragraph (3)				
237	<p>“</p> <p>3. The executing authority shall, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, report to the issuing authority on the postponement of the execution of the confiscation order, specifying the grounds for the postponement and, where possible, the expected duration of the postponement.</p> <p>”</p> <p>_____</p>	<p>“</p> <p>3. The executing authority shall, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, report to the issuing authority on the postponement of the execution of the confiscation order, specifying the grounds for the postponement and, where possible, the expected duration of the postponement.</p> <p>”</p> <p>_____</p>	<p>“</p> <p>3. The executing authority shall, without delay and in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, report to the issuing authority on the postponement of the execution of the confiscation order, specifying the grounds for the postponement and, where possible, the expected duration of the postponement”.</p> <p>”</p> <p>_____</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (13)				
238	(13) In Article 21, paragraph 4 is replaced by the following:	(13) In Article 21, paragraph 4 is replaced by the following:	(13) In Article 21, paragraph 4 is replaced by the following:	(13) In Article 21, paragraph 4 is replaced by the following:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 23, first paragraph, point (13), amending provision, numbered paragraph (4)				
239	<p>“</p> <p>4. As soon as the grounds for postponement have ceased to exist, the executing authority shall take, without delay, the measures necessary for the execution of the confiscation order and inform the issuing authority thereof in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p>	<p>“</p> <p>4. As soon as the grounds for postponement have ceased to exist, the executing authority shall take, without delay, the measures necessary for the execution of the confiscation order and inform the issuing authority thereof in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.</p>	<p>“</p> <p>4. As soon as the grounds for postponement have ceased to exist, the executing authority shall take, without delay, the measures necessary for the execution of the confiscation order and inform the issuing authority thereof in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	” 1. * Proposal for a Regulation (EU) of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (COM(2021) 759).	” 1. * Proposal for a Regulation (EU) of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (COM(2021) 759).	” 1. * Proposal for a Regulation (EU) of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (COM(2021) 759).	
239a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(13a) In Article 25:	
239b			(a) the title should be replaced by the following:	
239c			" Means of communication "	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
239d			(b) paragraph 1 is replaced by the following:	
239e			" 1. Official communication under this Regulation between the issuing authority and the executing authority, in particular in application of Articles 4(1),	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>7(2), 8(3), 9(4), 10(2), 10(3), 12(2), 14(1), 16(3), 18(6), 19(3), 20(2), 21(3), 21(4), 27(2), 27(3), 31(2)(third subparagraph), shall be carried out in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹.*</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
239f			<p>Where a Member State has designated a central authority(ies), official communication with the central authority(ies) of another Member State shall also be carried out in accordance with Article 3 of Regulation (EU) .../... [this Regulation].</p>	
239g				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Where necessary, the issuing authority and the executing authority shall consult each other without delay to ensure efficient application of this Regulation, using any appropriate means of communication.</p>	
239h			<p>Where this Regulation provides that the communication between the authorities may be carried out by any or any appropriate means, authorities should have discretion as to which method of communication to use.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			"	
Article 23, first paragraph, point (14)				
240	(14) In Article 27, paragraphs 2 and 3 are replaced by the following:	(14) In Article 27, paragraphs 2 and 3 are replaced by the following:	(14) In Article 27, paragraphs 2 and 3 are replaced by the following:	(14) In Article 27, paragraphs 2 and 3 are replaced by the following: Text Origin: Commission Proposal
Article 23, first paragraph, point (14), amending provision, numbered paragraph (2)				
241				

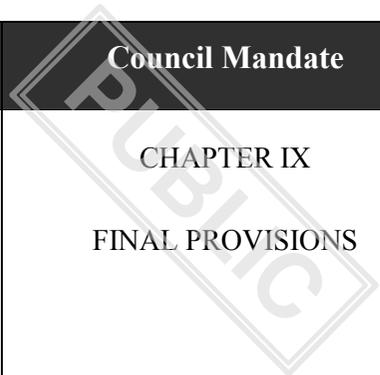
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>“</p> <p>2. The issuing authority shall immediately inform the executing authority, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, of the withdrawal of a freezing order or confiscation order and of any decision or measure that causes a freezing order or confiscation order to be withdrawn.”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	<p>“</p> <p>2. The issuing authority shall immediately inform the executing authority, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, of the withdrawal of a freezing order or confiscation order and of any decision or measure that causes a freezing order or confiscation order to be withdrawn.”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	<p>“</p> <p>2. The issuing authority shall immediately inform the executing authority, in accordance with Article 3 of Regulation (EU) .../...[this Regulation]¹, of the withdrawal of a freezing order or confiscation order and of any decision or measure that causes a freezing order or confiscation order to be withdrawn.”</p> <p>_____</p> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	matters, and amending certain acts in the field of judicial cooperation (OJ L ...).	
Article 23, first paragraph, point (14), amending provision, numbered paragraph (3)				
242	3. The executing authority shall terminate the execution of the freezing order or confiscation order, in so far as the execution has not yet been completed, as soon as it has been informed by the issuing authority in accordance with paragraph 2 of this Article. The executing authority shall send, without undue delay and in accordance with Article 3 of Regulation (EU) .../...[this	3. The executing authority shall terminate the execution of the freezing order or confiscation order, in so far as the execution has not yet been completed, as soon as it has been informed by the issuing authority in accordance with paragraph 2 of this Article. The executing authority shall send, without undue delay and in accordance with Article 3 of Regulation (EU) .../...[this	3. The executing authority shall terminate the execution of the freezing order or confiscation order, in so far as the execution has not yet been completed, as soon as it has been informed by the issuing authority in accordance with paragraph 2 of this Article. The executing authority shall send, without undue delay and in accordance with Article 3 of Regulation (EU) .../...[this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Regulation]¹, a confirmation of the termination to the issuing State.”</p> <p>“</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Regulation]¹, a confirmation of the termination to the issuing State.”</p> <p>“</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Regulation]¹, a confirmation of the termination to the issuing State.”</p> <p>“</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
Article 23, first paragraph, point (15)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
243	(15) In Article 31, paragraph 2, the third subparagraph, is replaced by the following:	(15) In Article 31, paragraph 2, the third subparagraph, is replaced by the following:	(15) In Article 31, paragraph 2, the third subparagraph, is replaced by the following:	(15) In Article 31, paragraph 2, the third subparagraph, is replaced by the following: Text Origin: Commission Proposal
Article 23, first paragraph, point (15), amending provision, first paragraph				
244	“ The consultation, or at least the result thereof, shall be recorded in accordance with Article 3 of Regulation (EU) .../...[this	“ The consultation, or at least the result thereof, shall be recorded in accordance with Article 3 of Regulation (EU) .../...[this	“ The consultation, or at least the result thereof, shall be recorded in accordance with Article 3 of Regulation (EU) .../...[this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	<p>Regulation]¹..</p> <p>”</p> <hr/> <p>1. * Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (OJ L ...).</p>	
CHAPTER IX				
G	245			G



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	CHAPTER IX FINAL PROVISIONS	CHAPTER IX FINAL PROVISIONS	CHAPTER IX FINAL PROVISIONS	CHAPTER IX FINAL PROVISIONS Text Origin: Commission Proposal
Article 24				
246	Article 24 Transitional provisions	Article 24 Transitional provisions	Article 24 Transitional provisions	Article 24 Transitional provisions Text Origin: Commission Proposal

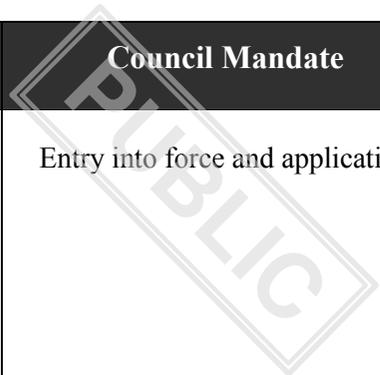
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 24(1), first subparagraph				
247	1. Member States shall start using the decentralised IT system referred to in Articles 3(1), and 5(1) and (2) from the first day of the month following the period of two years after the adoption of the implementing act referred to in Article 12(3).	1. Member States shall start using the decentralised IT system referred to in Articles 3(1), and 5(1) and (2) from the first day of the month following the period of two years <u>one year</u> after the adoption of the implementing act referred to in Article 12(3).	1. Member States shall start using the decentralised IT system referred to in Articles 3(1); and 4 (1) 5(1) and (2) from the first day of the month following the period of two three years after the adoption of the implementing act referred to in Article 12(3).	
Article 24(1), second subparagraph				
248	They shall use that decentralised IT	They shall use that decentralised IT	They shall use that decentralised IT	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	system to procedures instituted from the day referred to in the first subparagraph.	system to ^{for} procedures instituted from the day referred to in the first subparagraph.	system to procedures instituted from the day referred to in the first subparagraph.	
Article 24(2), first subparagraph				
249	2. Member States shall start using the decentralised IT system referred to in Articles 3(1), and 5(1) and (2) from the first day of the month following the period of two years after the adoption of the implementing act referred to in Article 12(4).	2. Member States shall start using the decentralised IT system referred to in Articles 3(1), and 5(1) and (2) from the first day of the month following the period of two years ^{one year} after the adoption of the implementing act referred to in Article 12(4).	2. Member States shall start using the decentralised IT system referred to in Articles 3(1); and 5(1) and 4 (1) and (2) from the first day of the month following the period of two three years after the adoption of the implementing act referred to in Article 12(4).	
Article 24(2), second subparagraph				

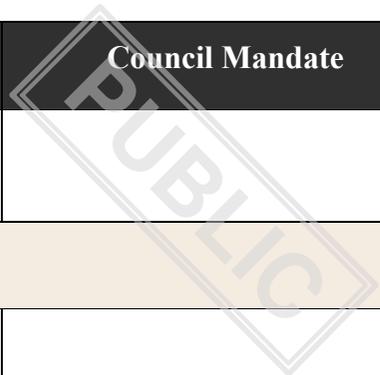
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250	They shall use that decentralised IT system to procedures instituted from the day referred to in the first subparagraph.	They shall use that decentralised IT system to <u>for</u> procedures instituted from the day referred to in the first subparagraph.	They shall use that decentralised IT system to procedures instituted from the day referred to in the first subparagraph.	
Article 24(3), first subparagraph				
251	3. Member States shall start using the decentralised IT system referred to in 3(1), and 5(1) and (2) from the first day of the month following the period of two years after the adoption of the implementing act referred to in Article 12(5).	3. <u> </u> Member States shall start using the decentralised IT system referred to in 3(1), and 5(1) and (2) from the first day of the month following the period of two <u>years one year</u> after the adoption of the implementing act referred to in Article 12(5).	3. Member States shall start using the decentralised IT system referred to in Articles 3(1), and 4 (1) 5(1) and (2) from the first day of the month following the period of two three years after the adoption of the implementing act referred to in Article 12(5).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 24(3), second subparagraph				
252	They shall use that decentralised IT system to procedures instituted from the day referred to in the first subparagraph.	They shall use that decentralised IT system to ^{for} procedures instituted from the day referred to in the first subparagraph.	They shall use that decentralised IT system to procedures instituted from the day referred to in the first subparagraph.	
Article 24(4), first subparagraph				
253	4. Member States shall start using the decentralised IT system referred to in 3(1), and 5(1) and (2) from the first day of the month following the period of two years	4. Member States shall start using the decentralised IT system referred to in 3(1), and 5(1) and (2) from the first day of the month following the period of two	4. Member States shall start using the decentralised IT system referred to in Articles 3(1), and 4 (1)-5(1) and (2) from the first day of the month following the period	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	after the adoption of the implementing act referred to in Article 12(6).	years <u>one year</u> after the adoption of the implementing act referred to in Article 12(6).	of two three years after the adoption of the implementing act referred to in Article 12(6).	
Article 24(4), second subparagraph				
254	They shall use that decentralised IT system to procedures instituted from the day referred to in the first subparagraph.	They shall use that decentralised IT system to <u>for</u> procedures instituted from the day referred to in the first subparagraph.	They shall use that decentralised IT system to procedures instituted from the day referred to in the first subparagraph.	
Article 25				
255	Article 25	Article 25	Article 25	Article 25



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Entry into force and application	Entry into force and application	Entry into force and application	Entry into force and application Text Origin: Commission Proposal
Article 25, first paragraph				
256	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 enter into force on the day following that of its publication in the Official Journal of the European Union.	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 enter into force on the day following that of its publication in the Official Journal of the European Union. Text Origin: Commission Proposal

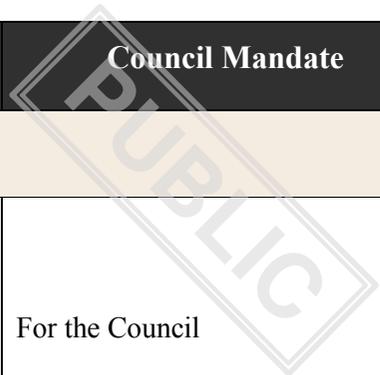




	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Formula				
259	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels, Text Origin: Commission Proposal
Formula				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
260	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: Commission Proposal
Formula				
261	The President	The President	The President	The President Text Origin: Commission Proposal



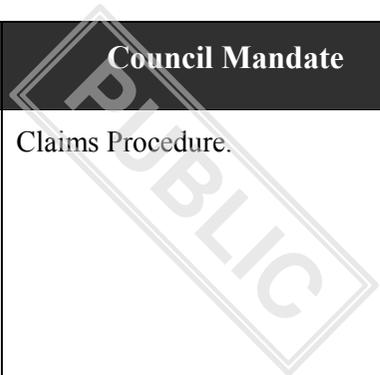
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
262	For the Council	For the Council	For the Council	For the Council Text Origin: Commission Proposal
Formula				
263	The President	The President	The President	The President Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1				
264	Annex 1 Legal acts in the area of judicial cooperation in civil and commercial matters	Annex 1 Legal acts in the area of judicial cooperation in civil and commercial matters	Annex 1 ANNEX I Legal acts in the area of judicial cooperation in civil and commercial matters	
Annex 1, first paragraph				
265	(1) Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum	(1) Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum	(1) Council Directive 2002/8/EC 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing	

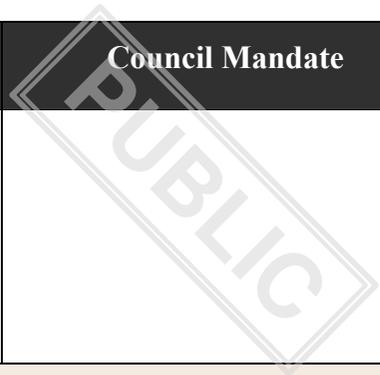
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	common rules relating to legal aid for such disputes.	common rules relating to legal aid for such disputes.	minimum common rules relating to legal aid for such disputes.	
Annex 1, second paragraph				
266	(2) Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims.	(2) Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims.	(2) Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims.	(2) Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims. Text Origin: Commission Proposal
Annex 1, third paragraph				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
267	(3) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure.	(3) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure.	(3) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure.	(3) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure. Text Origin: Commission Proposal
Annex 1, fourth paragraph				
268	(4) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small	(4) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small	(4) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small	(4) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small



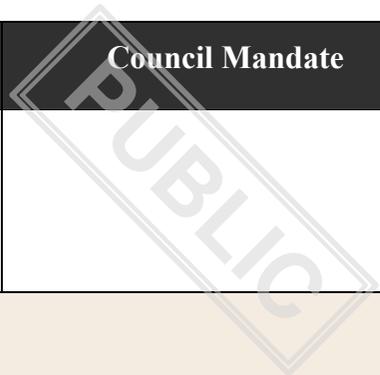
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Claims Procedure.	Claims Procedure.	Claims Procedure.	Claims Procedure. Text Origin: Commission Proposal
Annex 1, fifth paragraph				
269	(5) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.	(5) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.	(5) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.	(5) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Annex 1, sixth paragraph				
270	(6) Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession.	(6) Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession.	(6) Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession.	(6) Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession.



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Annex 1, seventh paragraph				
271	(7) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast).	(7) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast).	(7) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast).	(7) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast). Text Origin:

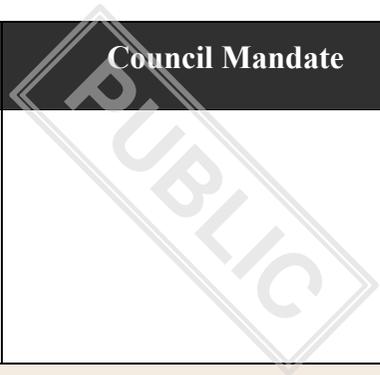


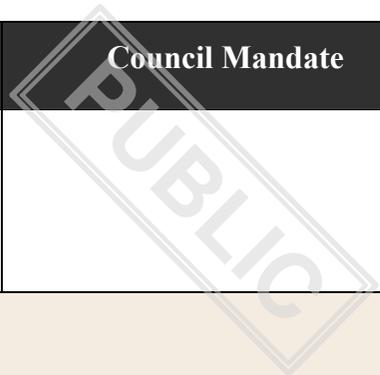
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Annex 1, eighth paragraph				
271a			(7a) Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters.	
Annex 1, eighth paragraph				
272	(8) Regulation (EU) No 655/2014 of the European Parliament and of	(8) Regulation (EU) No 655/2014 of the European Parliament and of	(8) Regulation (EU) No 655/2014 of the European Parliament and of	(8) Regulation (EU) No 655/2014 of the European Parliament and of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters.	the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters.	the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters.	the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters. Text Origin: Commission Proposal
Annex 1, ninth paragraph				
273	(9) Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings.	(9) Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings.	(9) Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings.	(9) Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings.



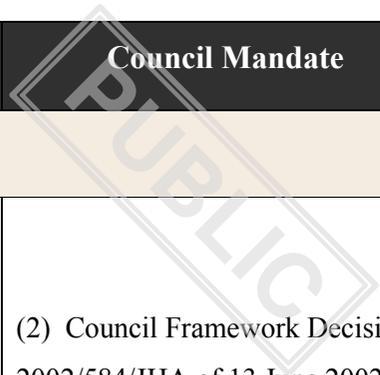
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Annex 1, tenth paragraph				
274	(10) Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes.	(10) Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes.	(10) Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes.	(10) Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes.





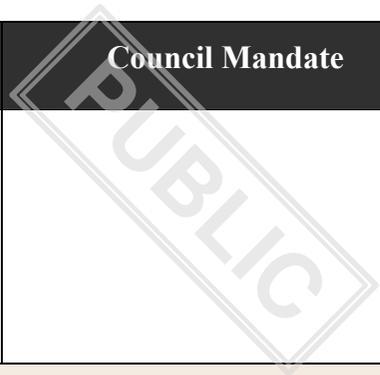
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission Proposal
Annex 1, twelfth paragraph				
276	(12) Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction.	(12) Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction.	(12) Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction.	(12) Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2				
277	Annex 2 Legal acts in the area of judicial cooperation in criminal matters	Annex 2 Legal acts in the area of judicial cooperation in criminal matters	Annex 2 ANNEX II Legal acts in the area of judicial cooperation in criminal matters	
Annex 2, first paragraph				
278	(1) Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams.	(1) Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams.	(1) Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams.	

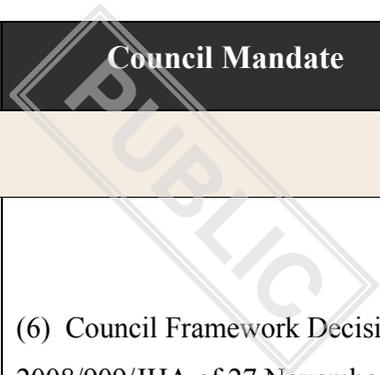


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, second paragraph				
279	(2) Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States.	(2) Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States.	(2) Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States.	(2) Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States. Text Origin: Commission Proposal
Annex 2, third paragraph				
280	(3) Council Framework Decision 2003/577/JHA of 22 July 2003 on	(3) Council Framework Decision 2003/577/JHA of 22 July 2003 on	(3) Council Framework Decision 2003/577/JHA of 22 July 2003 on	(3) Council Framework Decision 2003/577/JHA of 22 July 2003 on

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the execution in the European Union of orders freezing property or evidence.	the execution in the European Union of orders freezing property or evidence.	the execution in the European Union of orders freezing property or evidence.	the execution in the European Union of orders freezing property or evidence. Text Origin: Commission Proposal
Annex 2, fourth paragraph				
281	(4) Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties.	(4) Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties.	(4) Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties.	(4) Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties.

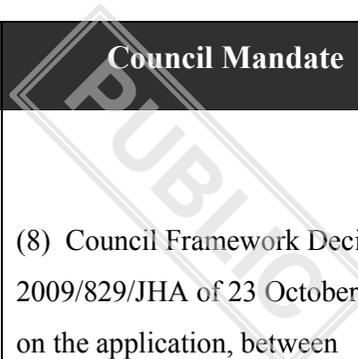


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Annex 2, fifth paragraph				
282	(5) Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders.	(5) Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders.	(5) Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders.	(5) Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders. Text Origin: Commission Proposal



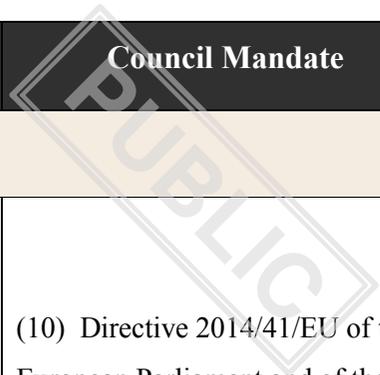
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, sixth paragraph				
283	(6) Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union.	(6) Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union.	(6) Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union.	(6) Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, seventh paragraph				
284	(7) Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.	(7) Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.	(7) Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.	(7) Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions. Text Origin: Commission Proposal
Annex 2, eighth paragraph				



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
285	(8) Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.	(8) Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.	(8) Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.	(8) Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention. Text Origin: Commission Proposal
Annex 2, ninth paragraph				
286	(9) Council Framework Decision			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings.	2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings.	2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings.	2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings. Text Origin: Commission Proposal
286a			(9a) Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order.	



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, tenth paragraph				
287	(10) Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters.	(10) Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters.	(10) Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters.	(10) Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters. Text Origin: Commission Proposal
Annex 2, eleventh paragraph				
288	(11) Regulation (EU) 2018/1805 of the European Parliament and of	(11) Regulation (EU) 2018/1805 of the European Parliament and of	(11) Regulation (EU) 2018/1805 of the European Parliament and of	(11) Regulation (EU) 2018/1805 of the European Parliament and of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders.	the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders.	the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders.	the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders. Text Origin: Commission Proposal
ANNEX III				
288a			Timeline for the adoption of Implementing acts by the Commission - Transitional period	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
ANNEX III				
288b			(1) Implementing act: Article 12(3), 2 years after the entry into force of the regulation	
ANNEX III				
288c			Transitional period: Article 24(1), 3 years after the adoption of the Implementing act	
ANNEX III				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
288d			Covered legal acts:	
ANNEX III				
288e			– Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure. (Annex I, point 3)	
ANNEX III				
288f				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<ul style="list-style-type: none"> – Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure. (Annex I, point 4) 	
ANNEX III				
288g			<ul style="list-style-type: none"> – Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States. (Annex II, point 2) 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
ANNEX III				
288h			<ul style="list-style-type: none"> – Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters. (Annex II, point 10) 	
ANNEX III				
288i			<ul style="list-style-type: none"> – Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and confiscation orders. (Annex II, point 11)	
ANNEX III				
288j			(2) Implementing act: Article 12(4), 3 years after the entry into force of the regulation	
ANNEX III				
288k			Transitional period: Article 24(2), 3 years after the adoption of the Implementing act	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
ANNEX III				
288l			Covered legal acts:	
ANNEX III				
288m			<ul style="list-style-type: none"> – Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes. (Annex I, point 1) 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
ANNEX III				
288n			<ul style="list-style-type: none"> – Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters (Annex I, point 7a). 	
ANNEX III				
288o			<ul style="list-style-type: none"> – Regulation (EU) No 655/2014 of the European 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters. (Annex I, point 8)</p>	
ANNEX III				
288p			<p>– Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings. (Annex I, point 9)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
ANNEX III				
288q			<p>– Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union. (Annex II, point 6)</p>	
ANNEX III				
288r				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>– Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order. (Annex II, point 9a)</p>	
ANNEX III				
288s			<p>(3) Implementing act: Article 12(5), 5 years after the entry into force of the regulation</p>	
ANNEX III				
288t				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Transitional period: Article 24(3), 3 years after the adoption of the Implementing act	
ANNEX III				
288u			Covered legal acts:	
ANNEX III				
288v			– Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession. (Annex I, point 6)</p>	
ANNEX III				
288w			<p>– Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(Annex I, point 10)	
ANNEX III				
288x			<p>– Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships. (Annex I, point 11)</p>	
ANNEX III				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
288y			<p>– Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence. (Annex II, point 3)</p>	
ANNEX III				
288z			<p>– Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties. (Annex II, point 4)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
ANNEX III				
288aa			<ul style="list-style-type: none"> – Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders. (Annex II, point 5) 	
ANNEX III				
288ab			<ul style="list-style-type: none"> – Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and settlement of conflicts of exercise of jurisdiction in criminal proceedings. (Annex II, point 9)	
ANNEX III				
288ac			(4) Implementing act: Article 12(6), 6 years after the entry into force of the regulation	
ANNEX III				
288ad			Transitional period: Article 24(4), 3 years after the adoption	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of the Implementing act	
ANNEX III				
288ae			Covered legal acts:	
ANNEX III				
288af			<ul style="list-style-type: none"> – Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims. (Annex I, 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			point 2)	
ANNEX III				
288ag			<ul style="list-style-type: none"> – Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations. (Annex I, point 5) 	
ANNEX III				
288ah			<ul style="list-style-type: none"> – Regulation (EU) No 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast). (Annex I, point 7)</p>	
ANNEX III				
288ai			<p>– Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(Annex I, point 12)	
ANNEX III				
288aj			<p>– Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions. (Annex II, point 7)</p>	
ANNEX III				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
288ak			<p>– Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention. (Annex II, point 8)</p>	