



Council of the
European Union

Brussels, 24 May 2023
(OR. en)

9757/23

LIMITE

EJUSTICE 17
JURINFO 6
JAI 668
JUSTCIV 74
COPEN 169
CODEC 954

**Interinstitutional File:
2021/0395(COD)**

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	14821/21
Subject:	Proposal for a Directive of the European Parliament and of the Council 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 - 4-column table

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

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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

**2021/0395(COD)
DRAFT [Draft of 17 May]
17-05-2023 at 12h40**

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2021/0395 (COD)	2021/0395 (COD)	2021/0395 (COD)	
Proposal Title				
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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	proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL <u>directive of the European Parliament and of the Council</u> 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,	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Parliament and of the Council, as regards digitalisation of judicial cooperation	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	European Parliament and of the Council, as regards digitalisation of judicial cooperation	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION <u>The European Parliament,</u>	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), points (e) and (f) and Article 82(1), (d) thereof,	having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), points (e) and (f) and Article 82(1), (d) thereof <u>Commission proposal to Parliament and the Council (COM(2021)0760),</u>	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), points (e) and (f) and Article 82(1), (d) thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	having regard to <u>Article 294(2), Article 81(2), points (e) and (f) and Article 82(1), point (d) of the Treaty on the Functioning of the</u> proposal from the European	Having regard to the proposal from the European Commission,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Union, pursuant to which the Commission submitted the proposal to Parliament (C9- 0450/2021),</u>		
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission <u>having regard to Article 294(3) of the draft legislative act to the national parliaments</u> <u>Treaty on the Functioning of the European Union,</u>	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, <u>having regard to the opinion of the European Economic and Social Committee of 19 May 2022¹</u> <u>1. OJ C 323, 26.8.2022, p. 77.</u>	Acting in accordance with the ordinary legislative procedure,	
Formula				
8	Whereas:	Whereas:	Whereas:	
Recital 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
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>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. A toolbox of opportunities, COM(2020) 710 final</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>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. A toolbox of opportunities, COM(2020) 710 final</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>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. A toolbox of opportunities, COM(2020) 710 final</p>	
Recital 2				
10	<p>(2) Facilitating judicial cooperation between the Member States is among the main objectives of the Union’s area of freedom, security and justice enshrined in Title V of Part Three of the Treaty on the Functioning of the European Union.</p>	<p>(2) Facilitating judicial cooperation between the Member States is among the main objectives of the Union’s area of freedom, security and justice enshrined in Title V of Part Three of the Treaty on the Functioning of the European Union.</p>	<p>(2) Facilitating judicial cooperation between the Member States is among the main objectives of the Union’s area of freedom, security and justice enshrined in Title V of Part Three of the Treaty on the Functioning of the European Union.</p>	
Recital 3				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
11	(3) For the purposes of enhancing judicial cooperation in civil commercial and criminal matters with cross-border implications, legal acts of the Union providing for communication between competent authorities, including Union agencies and bodies, should be complemented by conditions for conducting such communication through digital means.	(3) For the purposes of enhancing judicial cooperation in civil commercial and criminal matters with cross-border implications, legal acts of the Union providing for communication between competent authorities, including Union agencies and bodies, should be complemented by conditions for conducting such communication through digital means <u><i>in a manner that ensures the protection of fundamental rights as provided for in the Charter of Fundamental Rights of the European Union, especially those enshrined in Title VI and Article 47 on the right to an effective remedy and to a fair trial. These conditions should in no way undermine the protection of procedural rights that are essential for the protection of those fundamental rights, in accordance with Union law.</i></u>	(3) For the purposes of enhancing judicial cooperation in civil commercial and criminal matters with cross-border implications, legal acts of the Union providing for communication between competent authorities, including Union agencies and bodies, should be complemented by conditions for conducting such communication through digital means.	
Recital 4				
12	(4) In order to achieve these goals, Regulation (EU) .../...[Digitalisation Regulation] has been adopted.	(4) In order to achieve these goals, Regulation (EU) .../...[Digitalisation Regulation] has been adopted.	(4) In order to achieve these goals, Regulation (EU) .../...[Digitalisation Regulation] has been adopted.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 5				
13	<p>(5) For the purposes of ensuring the full attainment of the objectives of Regulation (EU) .../...[Digitalisation Regulation], and for the alignment of the existing Union legal acts in civil, commercial and criminal matters with that Regulation, it is necessary to amend the following legal acts: Council Directive 2002/8/EC¹, Council Framework Decisions 2002/465/JHA², 2002/584/JHA³, 2003/577/JHA⁴, 2005/214/JHA⁵, 2006/783/JHA⁶, 2008/909/JHA⁷, 2008/947/JHA⁸, 2009/829/JHA⁹ and 2009/948/JHA¹⁰, and Directive 2014/41/EU of the European Parliament and of the Council¹¹.</p> <p>1. Council Directive 2002/8/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 (OJ L 026, 31.1.2003, p.41). 2. Council Framework Decision of 13 June 2002 on joint investigation teams (OJ L 162, 20.6.2002, p. 1). 3. 2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States - Statements made by certain Member States on the adoption of the Framework Decision 4. Council Framework Decision of 13 June</p>	<p>(5) For the purposes of ensuring the full attainment of the objectives of Regulation (EU) .../...[Digitalisation Regulation], and for the alignment of the existing Union legal acts in civil, commercial and criminal matters with that Regulation, it is necessary to amend the following legal acts: Council Directive 2002/8/EC¹, Council Framework Decisions 2002/465/JHA², 2002/584/JHA³, 2003/577/JHA⁴, 2005/214/JHA⁵, 2006/783/JHA⁶, 2008/909/JHA⁷, 2008/947/JHA⁸, 2009/829/JHA⁹ and 2009/948/JHA¹⁰, and Directive 2014/41/EU of the European Parliament and of the Council¹¹.</p> <p>1. Council Directive 2002/8/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 (OJ L 026, 31.1.2003, p.41). 2. Council Framework Decision of 13 June 2002 on joint investigation teams (OJ L 162, 20.6.2002, p. 1). 3. 2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States - Statements made by certain Member States on the adoption of the Framework Decision 4. Council Framework Decision of 13 June</p>	<p>(5) For the purposes of ensuring the full attainment of the objectives of Regulation (EU) .../...[Digitalisation Regulation],- and for the alignment of the existing Union legal acts in civil, commercial and criminal matters with that Regulation, it is necessary to amend the following legal acts: Council Directive 2002/8/EC 2003/8/EC¹, Council Framework Decisions 2002/465/JHA², 2002/584/JHA³, 2003/577/JHA⁴, 2005/214/JHA⁵, 2006/783/JHA⁶, 2008/909/JHA⁷, 2008/947/JHA⁸, 2009/829/JHA⁹ and 2009/948/JHA¹⁰, and Directives 2011/99/EU¹¹ and Directive 2014/41/EU¹²¹³ of the European Parliament and of the Council¹⁴.</p> <p>1. Council Directive 2002/8/EC2003/8/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 (OJ L 026, 31.1.2003, p.41). 2. Council Framework Decision of 13 June 2002 on joint investigation teams (OJ L 162, 20.6.2002, p. 1). 3. 2002/584/JHA-Council Framework Decision of 13 June 2002 on the European</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>2002 on the European arrest warrant and the surrender procedures between Member States (OJ L 190, 18.7.2002, p. 1–20).</p> <p>5. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16–30).</p> <p>6. 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>7. 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 (OJ L 327, 5.12.2008, p. 27–46).</p> <p>8. 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>9. 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 (OJ L 294, 11.11.2009, p. 20–40).</p> <p>10. Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of</p>	<p>2002 on the European arrest warrant and the surrender procedures between Member States (OJ L 190, 18.7.2002, p. 1–20).</p> <p>5. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16–30).</p> <p>6. 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>7. 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 (OJ L 327, 5.12.2008, p. 27–46).</p> <p>8. 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>9. 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 (OJ L 294, 11.11.2009, p. 20–40).</p> <p>10. Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of</p>	<p>arrest warrant and the surrender procedures between Member States –Statements made by certain Member States on the adoption of the Framework Decision (OJ L 190, 18.7.2002, p. 1–20).</p> <p>4. Council Framework Decision of 13 June 2002 Decision 2003/577/JHA of 22 July 2003 on the European arrest warrant and the surrender procedures between Member States (OJ L 190, 18.7.2002, p. 1) execution in the European Union of orders freezing property or evidence (OJ L 196, 2.8.2003, p. 45–2055).</p> <p>5. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16–30).</p> <p>6. 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>7. 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 (OJ L 327, 5.12.2008, p. 27–46).</p> <p>8. 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>9. Council Framework Decision</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>exercise of jurisdiction in criminal proceedings (OJ L 328, 15.12.2009, p. 42–47).</p> <p>11. 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>exercise of jurisdiction in criminal proceedings (OJ L 328, 15.12.2009, p. 42–47).</p> <p>11. 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>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 (OJ L 294, 11.11.2009, p. 20–40).</p> <p>10. Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings (OJ L 328, 15.12.2009, p. 42–47).</p> <p>11. Directive 2014/41/EU2011/99/EU of the of the European Parliament and of the Council of 3 April 2014 regarding13 December 2011 on the European Investigationprotection order in criminal matters (OJ L 130, 1.5.2014, p. 1–36)(OJ L 338, 21.12.2011, p. 2).</p> <p>12. 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>13. Directive 2011/99/EU of the of the European Parliament and of the Council of 13 December 2011 on the European protection order (OJ L 338, 21.12.2011, p. 2).</p>	
Recital 6				
14	(6) The amendments seek to ensure that communication between authorities takes place in accordance with the rules and principles set out in Regulation	(6) The amendments seek to ensure that communication between authorities takes place in accordance with the rules and principles set out in Regulation	(6) The amendments seek to ensure that cross-border communication between authorities takes place in accordance with the rules and principles set out in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(EU) .../...[Digitalisation Regulation].	(EU) .../...[Digitalisation Regulation].	Regulation (EU) .../...[Digitalisation Regulation]. In accordance with that Regulation, communication between competent authorities of different Member States and between a national competent authority and a Union agency or body under the legal acts in criminal matters amended by this Directive should as a rule be carried out through the decentralised IT system. In particular, the decentralised IT system should, as a rule, be used for the exchange of forms provided by the legal acts in criminal matters amended by this Directive and for all other official communication under these legal acts which has to be carried out in a written form, for example for the purposes of keeping case files of competent authorities. In cases where one or more of the exceptions mentioned in the Regulation (EU) .../.... [Digitalisation Regulation] apply, namely, where the use of the decentralised IT system is not possible or appropriate, other means of communication may be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			used as specified in that Regulation. For the purposes of the Council Framework Decisions 2005/214/JHA, 2006/783/JHA, 2008/909/JHA, 2008/947/JHA, 2009/829/JHA and the Directive 2014/41/EU, where those legal acts provide for the communication between the authorities to be carried out by "any" or "any appropriate means", authorities should have discretion as to which method of communication to use.	
Recital 7				
15	(7) Whereas this Directive sets out amendments to rules already transposed into the national legal order of the Member States, it should also have specific provisions on the transposition of these amendments. The transposition provisions should be aligned with the implementation timeline provided for in Regulation (EU) .../...[Digitalisation Regulation].	(7) Whereas this Directive sets out amendments to rules already transposed into the national legal order of the Member States, it should also have specific provisions on the transposition of these amendments. The transposition provisions should be aligned with the implementation timeline provided for in Regulation (EU) .../...[Digitalisation Regulation].	(7) Whereas this Directive sets out amendments to rules already transposed into the national legal order of the Member States, it should also have specific provisions on the transposition of these amendments. The transposition provisions should be aligned with the implementation timeline provided for in Regulation (EU) .../... Digitalisation Regulation Digitalisation Regulation].	
Recital 8				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
16	(8) 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 Directive and is not bound by it or subject to its application.	(8) 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 Directive and is not bound by it or subject to its application.	(8) 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 Directive and is not bound by it or subject to its application.	
Recital 9, first subparagraph				
17	(9) [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 Directive and is not bound by it or subject to its application.]	(9) [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 Directive and is not bound by it or subject to its application.]	(9) [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 Directive and is not bound by it or subject to its application.]	
Recital 9, second subparagraph				
18	OR	OR	OR	
Recital 9, third subparagraph				


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
19	[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 Functioning of the European Union, Ireland has notified [, by letter of ...] its wish to take part in the adoption and application of this Directive],	[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 Functioning of the European Union, Ireland has notified [, by letter of ...] its wish to take part in the adoption and application of this Directive],	[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 Functioning of the European Union, Ireland has notified [, by letter of ...] its wish to take part in the adoption and application of this Directive],	
Formula				
20	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	
CHAPTER I				
21	CHAPTER I AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS	CHAPTER I AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS	CHAPTER I AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS	
Article 1				
22	Article 1	Article 1	Article 1	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Amendments to Directive 2002/8/EC	Amendments to Directive 2002/8/EC	Amendments to Directive 2002/8/EC 2003/8/EC	
Article 1, first paragraph				
23	In Article 13 of Directive 2002/8/EC, paragraph 4 is replaced by the following:	In Article 13 of Directive 2002/8/EC, paragraph 4 is replaced by the following:	In Article 13 13(4) of Directive 2002/8/EC 2003/8/EC , the second subparagraph paragraph 4 is replaced by the following:	
Article 1, first paragraph, amending provision, numbered paragraph (4)				
24	“ 4. The competent transmitting authority shall transmit the application to the competent receiving authority in the other Member State t in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]* within 15 days of the receipt of the application duly completed in one of the languages referred to in paragraph 2 of this Article, and the supporting documents, translated, where necessary, into one of those languages.”.	“ 4. The competent transmitting authority shall transmit the application to the competent receiving authority in the other Member State t in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]* within 15 days of the receipt of the application duly completed in one of the languages referred to in paragraph 2 of this Article, and the supporting documents, translated, where necessary, into one of those languages.”.	“ 4. "The competent transmitting authority shall transmit the application to the competent receiving authority in the other Member State-t in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]* within 15 days of the receipt of the application duly completed in one of the languages referred to in paragraph 2 of this Article, and the supporting documents, translated, where necessary, into one of those languages.”.	
Article 1, first paragraph, amending provision, numbered paragraph (4), first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
25	_____	_____	_____	
Article 1, first paragraph, amending provision, numbered paragraph (4), second paragraph				
26	* 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 ...).. ”	* 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 ...).. ”	* _____ 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 ...). ”.	
CHAPTER II				
27	CHAPTER II AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS	CHAPTER II AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS	CHAPTER II AMENDMENTS TO LEGAL ACTS IN THE AREA OF JUDICIAL COOPERATION IN CRIMINAL MATTERS	
Article 2				
28	Article 2 Amendment to Framework Decision 2002/465/JHA	Article 2 Amendment to Framework Decision 2002/465/JHA	Article 2 Amendment to Framework Decision 2002/465/JHA	
Article 2, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
29	In Article 1 of Framework Decision 2002/465/JHA, the following paragraph is added:	In Article 1 of Framework Decision 2002/465/JHA, the following paragraph is added:	In Article 1 of Framework Decision 2002/465/JHA, the following paragraph is added:	
Article 2, first paragraph, amending provision, numbered paragraph (13)				
30	“ 13. Written communications between Member States to set up a joint investigation team and sign a joint investigation team agreement, shall be made in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	“ 13. Written communications between Member States to set up a joint investigation team and sign a joint investigation team agreement, shall be made in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	“ 13. Written communications between Member States to set up a joint investigation team and sign a joint investigation team agreement, shall be made in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	
Article 2, first paragraph, amending provision, numbered paragraph (13), first paragraph				
31	_____	_____	=====	
Article 2, first paragraph, amending provision, numbered paragraph (13), second paragraph				
32	* 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 ...).	* 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 ...).	* _____ 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 ...).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	”	”	”	
Article 3				
33	Article 3 Amendment to Framework Decision 2002/584/JHA	Article 3 Amendment to Framework Decision 2002/584/JHA	Article 3 Amendment to Framework Decision 2002/584/JHA	
Article 3, first paragraph				
34	Framework Decision 2002/584/JHA is amended as follows:	Framework Decision 2002/584/JHA is amended as follows:	Framework Decision 2002/584/JHA is amended as follows:	
34a		<p><u>(-1) In Article 9, the following paragraph is inserted:</u> <u>‘(3a) The issuing judicial authority shall use the decentralised IT system referred to in Article 3(1) of Regulation (EU) .../... [Digitalisation Regulation], to provide the competent authority in the executing Member State with:</u> <u>a) the information required to enable the requested person to appoint a lawyer in the issuing state in accordance with Article 10(5) of Directive 2013/48/EU,</u></p>		

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		<p><u>and to apply for legal aid in the issuing state in accordance with Article 5 of Directive 2016/1919/EU;</u></p> <p><u>b) the material evidence that supports the cross-border cooperation request in due time before the hearing through videoconferencing or other distance communication technology, without prejudice to the procedure laid down in paragraph 2 in Article 15.'</u></p>		
Article 3, first paragraph, point (1)				
35	(1) in Article 10, paragraph 4 is replaced by the following:	(1) in Article 10, paragraph 4 is replaced by the following:	(1) in Article 10, paragraph 4 is replaced by the following:	
Article 3, first paragraph, point (1), amending provision, first paragraph				
36	“ The issuing judicial authority shall forward the European arrest warrant in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*, without prejudice to paragraphs 2 and 3 of this Article.”;	“ The issuing judicial authority shall forward the European arrest warrant in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*, without prejudice to paragraphs 2 and 3 of this Article.”;	“ The issuing judicial authority shall forward the European arrest warrant in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*, without prejudice to paragraphs 2 and 3 of this Article.”;	
Article 3, first paragraph, point (1), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
37	_____	_____	_____	
Article 3, first paragraph, point (1), amending provision, third paragraph				
38	* 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 ...).; ”	* 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 ...).; ”	* _____ 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 ...).; ”	
38a			(1) in Chapter 2, the following Article 8a is inserted:	
38b			" Article 8a Means of communication	
38c			1. Without prejudice to Articles	

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			<p>9(2), 10(2) and 10(3), official communication under this Framework Decision between the issuing judicial authority and the executing judicial authority, in particular in application of Articles 9(1), 25(3), shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].</p>	
38d			<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) .../...[Digitalisation Regulation].</p>	
38e			<p>2. The transit request made pursuant to Article 25(3) may also be sent through secure law enforcement communication channels.";</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
38f				
38g			<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 matters, and amending certain acts in the field of judicial cooperation (OJ L ...).";</p> <p>"</p>	
38h			(2) in Article 10, paragraph 4 is deleted;	
Article 3, first paragraph, point (2)				
39	(2) in Article 18, paragraph (1), point (a) is replaced by the following:	(2) in Article 18, paragraph (1), point (a) is replaced by the following:	(2) (3) in Article 18, paragraph (1) 1, point (a) a is replaced by the following:	
Article 3, first paragraph, point (2), amending provision, first paragraph				
40				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	" (a) either agree that the requested person should be heard according to Article 19 or via video-conference in accordance with Article 8 of Regulation (EU) .../...[Digitalisation Regulation]"	" (a) either agree that the requested person should be heard according to Article 19 or via video-conference in accordance with Article 8 of Regulation (EU) .../...[Digitalisation Regulation]"	" (a) either agree that the requested person should be heard according to Article 19 or via video-conference in accordance with Article 8 of Regulation (EU) .../...[Digitalisation Regulation]-" "Digitalisation Regulation]"	
Article 3, first paragraph, point (3)				
41	(3) in Article 25, paragraph 3 is replaced by the following:	(3) in Article 25, paragraph 3 is replaced by the following:	(3) (4) in Article 25, paragraph 3 is replaced by the following:	
Article 3, first paragraph, point (3), amending provision, numbered paragraph (3)				
42	" 3. The transit request and the information set out in paragraph 1 of this Article may be addressed to the authority designated pursuant to paragraph 2 of this Article in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. The Member State of transit shall notify its decision by the same procedure.."	" 3. The transit request and the information set out in paragraph 1 of this Article may be addressed to the authority designated pursuant to paragraph 2 of this Article in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. The Member State of transit shall notify its decision by the same procedure.."	" 3. The transit request and the information set out in paragraph 1 of this Article may shall be addressed to the authority designated pursuant to paragraph 2 of this Article in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation] . The Member State of transit shall notify its decision by the same procedure on the transit request ."	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4				
43	Article 4 Amendment to Framework Decision 2003/577/JHA	Article 4 Amendment to Framework Decision 2003/577/JHA	Article 4 Amendment to Framework Decision 2003/577/JHA	
Article 4, first paragraph				
44	Framework Decision 2003/577/JHA is amended as follows:	Framework Decision 2003/577/JHA is amended as follows:	Framework Decision 2003/577/JHA is amended as follows:	
Article 4, first paragraph, point (1)				
45	(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:	
Article 4, first paragraph, point (1), amending provision, numbered paragraph (1)				
46	“ 1. A freezing order within the meaning of this Framework Decision, together with the certificate provided for in Article 9 of this Framework Decision, shall be transmitted by the judicial authority which issued it directly to the competent judicial authority for execution in accordance with	“ 1. A freezing order within the meaning of this Framework Decision, together with the certificate provided for in Article 9 of this Framework Decision, shall be transmitted by the judicial authority which issued it directly to the competent judicial authority for execution in accordance with	“ 1. A freezing order within the meaning of this Framework Decision, together with the certificate provided for in Article 9 of this Framework Decision, shall be transmitted by the judicial authority which issued it directly to the competent judicial authority for execution in accordance with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	
Article 4, first paragraph, point (1), amending provision, numbered paragraph (1), first paragraph				
47	_____	_____	=====	
Article 4, first paragraph, point (1), amending provision, numbered paragraph (1), second paragraph				
48	* 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 ...).; ”	* 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 ...).; ”	* _____ 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 4, first paragraph, point (2)				
49	(2) in Article 5(1), the third subparagraph is replaced by the following:	(2) in Article 5(1), the third subparagraph is replaced by the following:	(2) in Article 5(1) 5, paragraph 1 , the third subparagraph is replaced by the following:	
Article 4, first paragraph, point (2), amending provision, first paragraph				
50	“	“	“	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	A report on the execution of the freezing order shall be made forthwith to the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	A report on the execution of the freezing order shall be made forthwith to the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	A report on the execution of the freezing order shall be made forthwith to the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	
Article 4, first paragraph, point (3)				
51	(3) in Article 7, paragraph 3 is replaced by the following:	(3) in Article 7, paragraph 3 is replaced by the following:	(3) in Article 7, paragraph 3 is replaced by the following:	
Article 4, first paragraph, point (3), amending provision, numbered paragraph (3)				
52	“ 3. Any decision to refuse recognition or execution shall be taken and notified forthwith to the competent judicial authorities of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	“ 3. Any decision to refuse recognition or execution shall be taken and notified forthwith to the competent judicial authorities of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	“ 3. Any decision to refuse recognition or execution shall be taken and notified forthwith to the competent judicial authorities of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	
Article 4, first paragraph, point (4)				
53	(4) Article 8 is amended as follows:	(4) Article 8 is amended as follows:	(4) Article 8 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4, first paragraph, point (4)(a)				
54	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	
Article 4, first paragraph, point (4)(a), amending provision, numbered paragraph (2)				
55	“ 2. A report on the postponement of the execution of the freezing order, including the grounds for the postponement and, if possible, the expected duration of the postponement, shall be made forthwith to the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	“ 2. A report on the postponement of the execution of the freezing order, including the grounds for the postponement and, if possible, the expected duration of the postponement, shall be made forthwith to the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	“ 2. A report on the postponement of the execution of the freezing order, including the grounds for the postponement and, if possible, the expected duration of the postponement, shall be made forthwith to the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	
Article 4, first paragraph, point (4)(b)				
56	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	
Article 4, first paragraph, point (4)(b), amending provision, numbered paragraph (3)				
57	“ 3. As soon as the ground for postponement has ceased to exist,	“ 3. As soon as the ground for postponement has ceased to exist,	“ 3. As soon as the ground for postponement has ceased to exist,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the competent judicial authority of the executing State shall forthwith take the necessary measures for the execution of the freezing order and inform the competent authority in the issuing State thereof in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. ”	the competent judicial authority of the executing State shall forthwith take the necessary measures for the execution of the freezing order and inform the competent authority in the issuing State thereof in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. ”	the competent judicial authority of the executing State shall forthwith take the necessary measures for the execution of the freezing order and inform the competent authority in the issuing State thereof in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. ; ”	
57a			(5) In Title 2, the following Article 12a is inserted:	
57b			" Article 12a Means of communication	
57c			Official communication under this Framework Decision between the competent judicial authority of the issuing State and the competent judicial authority of the executing State, in particular in application of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Articles 4(1), 5(1)(third subparagraph), 7(3), 8(2), 8(3), shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*."	
57d			_____	
57e			* 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 5				
58	Article 5 Amendment to Framework Decision 2005/214/JHA	Article 5 Amendment to Framework Decision 2005/214/JHA	Article 5 Amendment to Framework Decision 2005/214/JHA	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5, first paragraph				
59	Council Framework Decision 2005/214/JHA is amended as follows:	Council Framework Decision 2005/214/JHA is amended as follows:	Council Framework Decision 2005/214/JHA is amended as follows:	
Article 5, first paragraph, point (1)				
60	(1) in Article 4, paragraph 3 is replaced by the following:	(1) in Article 4, paragraph 3 is replaced by the following:	(1) in Article 4, paragraph 3 is replaced by the following:	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3)				
61	<p>“</p> <p>3. The decision or a certified copy of it, together with the certificate, shall be transmitted by the competent authority in the issuing State directly to the competent authority in the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the decision, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in accordance with Article 3 of</p>	<p>“</p> <p>3. The decision or a certified copy of it, together with the certificate, shall be transmitted by the competent authority in the issuing State directly to the competent authority in the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the decision, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in accordance with Article 3 of</p>	<p>“</p> <p>3. The decision or a certified copy of it, together with the certificate, shall be transmitted by the competent authority in the issuing State directly to the competent authority in the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the decision, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities The originals or certified copies of documents</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EU) .../...[Digitalisation Regulation].”.	Regulation (EU) .../...[Digitalisation Regulation].”.	may be sent in electronic form in accordance with Article 3 of 10 of the Regulation (EU) .../...[Digitalisation Regulation]*.”. All official communications shall also be made directly between the said competent authorities ..	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), first paragraph				
62	_____	_____	_____	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), second paragraph				
63	* 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 ...).; ”	* 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 ...).; ”	* 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 5, first paragraph, point (2)				
64	(2) In Article 7, paragraph 3 is replaced by the following:	(2) In Article 7, paragraph 3 is replaced by the following:	(2) In Article 7, paragraph 3 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5, first paragraph, point (2), amending provision, numbered paragraph (3)				
65	<p>“</p> <p>3. In cases referred to in paragraphs 1 and 2(c) and (g), before deciding not to recognise and to execute a decision, either totally or in part, the competent authority in the executing State shall consult the competent authority in the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*, and shall, where appropriate, ask it to supply any necessary information without delay.</p> <p>”</p>	<p>“</p> <p>3. In cases referred to in paragraphs 1 and 2(c) and (g), before deciding not to recognise and to execute a decision, either totally or in part, the competent authority in the executing State shall consult the competent authority in the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*, and shall, where appropriate, ask it to supply any necessary information without delay.</p> <p>”</p>	<p>“</p> <p>3. In cases referred to in paragraphs 1 and 2(c) and (g), before deciding not to recognise and to execute a decision, either totally or in part, the competent authority in the executing State shall consult the competent authority in the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*, and shall, where appropriate, ask it to supply any necessary information without delay.</p> <p>”</p>	
Article 5, first paragraph, point (3)				
66	<p>(3) In Article 14, introductory wording, is replaced by the following:</p>	<p>(3) In Article 14, introductory wording, is replaced by the following:</p>	<p>(3)(2) In Article 14, introductory wording, is replaced by the following:</p>	
Article 5, first paragraph, point (3), amending provision, first paragraph				
67	<p>“</p> <p>The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance</p>	<p>“</p> <p>The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance</p>	<p>“</p> <p>The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].. ”	with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].. ”	with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]..; ”	
67a			(3) the following Article 15a is inserted:	
67b			” Article 15a Means of communication	
67c			Official communication under this Framework Decision between the competent authority of the issuing State and the competent authority of the executing State, in particular in application of Articles 4(3), 14, shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation] *	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
67d			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) .../...[Digitalisation Regulation].	
67e			Where this Framework Decision 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." "	
Article 6				
68	Article 6 Amendment to Framework Decision 2006/783/JHA	Article 6 Amendment to Framework Decision 2006/783/JHA	Article 6 Amendment to Framework Decision 2006/783/JHA	
Article 6, first paragraph				
69				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Framework Decision 2006/783/JHA is amended as follows:	Framework Decision 2006/783/JHA is amended as follows:	Framework Decision 2006/783/JHA is amended as follows:	
Article 6, first paragraph, point (1)				
70	(1) in Article 4, paragraph 2 is replaced by the following:	(1) in Article 4, paragraph 2 is replaced by the following:	(1) in Article 4, paragraph 2 is replaced by the following:	
Article 6, first paragraph, point (1), amending provision, numbered paragraph (2)				
71	<p>“</p> <p>2. The confiscation order or a certified copy thereof, together with the certificate, shall be transmitted by the competent authority of the issuing State directly to the authority of the executing State which is competent to execute it, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the confiscation order, or a certified copy thereof, and the original of the certificate shall be transmitted to the executing State if it so requires. All official written communications shall be made directly between the said competent authorities in accordance with Article 3 of Regulation (EU)</p>	<p>“</p> <p>2. The confiscation order or a certified copy thereof, together with the certificate, shall be transmitted by the competent authority of the issuing State directly to the authority of the executing State which is competent to execute it, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the confiscation order, or a certified copy thereof, and the original of the certificate shall be transmitted to the executing State if it so requires. All official written communications shall be made directly between the said competent authorities in accordance with Article 3 of Regulation (EU)</p>	<p>“</p> <p>2. The confiscation order or a certified copy thereof, together with the certificate, shall be transmitted by the competent authority of the issuing State directly to the authority of the executing State which is competent to execute it, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the confiscation order, or a certified copy thereof, and the original of the certificate shall be transmitted to the executing State if it so requires. All official written communications shall be made directly between the said competent authorities The originals or certified copies of documents may be sent in</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	.../...[Digitalisation Regulation].”.	.../...[Digitalisation Regulation].”.	electronic form in accordance with Article 3 of 10 of the Regulation (EU) .../...[Digitalisation Regulation].”. –*. All official communications shall be made directly between the said competent authorities ..	
Article 6, first paragraph, point (1), amending provision, numbered paragraph (2), first paragraph				
72	_____	_____	_____	
Article 6, first paragraph, point (1), amending provision, numbered paragraph (2), second paragraph				
73	* 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 ...).; ”	* 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 ...).; ”	* 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 6, first paragraph, point (2)				
74	(2) Article 10 is amended as follows:	(2) Article 10 is amended as follows:	(2) Article 10 is amended as follows:	
Article 6, first paragraph, point (2)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
75	(a) paragraph 3 is replaced by the following:	(a) paragraph 3 is replaced by the following:	(a) paragraph 3 is replaced by the following:	
Article 6, first paragraph, point (2)(a), amending provision, numbered paragraph (3)				
76	“ 3. In the case of postponement pursuant to paragraph 1, point (a), of this Article the competent authority of the executing State shall inform the competent authority of the issuing State thereof immediately in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], and the competent authority of the issuing State shall comply with the obligations referred to in Article 14(3) of this Framework Decision.;”	“ 3. In the case of postponement pursuant to paragraph 1, point (a), of this Article the competent authority of the executing State shall inform the competent authority of the issuing State thereof immediately in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], and the competent authority of the issuing State shall comply with the obligations referred to in Article 14(3) of this Framework Decision.;”	“ 3. In the case of postponement pursuant to paragraph 1, point (a), of this Article the competent authority of the executing State shall inform the competent authority of the issuing State thereof immediately in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], and the competent authority of the issuing State shall comply with the obligations referred to in Article 14(3) of this Framework Decision.;”	
Article 6, first paragraph, point (2)(b)				
77	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	
Article 6, first paragraph, point (2)(b), amending provision, numbered paragraph (4)				
78	“ 4. In the cases referred to in	“ 4. In the cases referred to in	“ 4. In the cases referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	paragraph 1, points (b) to (e), of this Article, a report on the postponement, including the grounds for the postponement and, if possible, the expected duration of the postponement, shall be made forthwith by the competent authority of the executing State to the competent authority of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. .	paragraph 1, points (b) to (e), of this Article, a report on the postponement, including the grounds for the postponement and, if possible, the expected duration of the postponement, shall be made forthwith by the competent authority of the executing State to the competent authority of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. .	paragraph 1, points (b) to (e), of this Article, a report on the postponement, including the grounds for the postponement and, if possible, the expected duration of the postponement, shall be made forthwith by the competent authority of the executing State to the competent authority of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].-	
Article 6, first paragraph, point (2)(b), amending provision, numbered paragraph (4), first paragraph				
79	As soon as the ground for postponement has ceased to exist, the competent authority of the executing State shall forthwith take the necessary measures for the execution of the confiscation order and inform the competent authority of the issuing State thereof in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. . ”	As soon as the ground for postponement has ceased to exist, the competent authority of the executing State shall forthwith take the necessary measures for the execution of the confiscation order and inform the competent authority of the issuing State thereof in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. . ”	As soon as the ground for postponement has ceased to exist, the competent authority of the executing State shall forthwith take the necessary measures for the execution of the confiscation order and inform the competent authority of the issuing State thereof in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].-	
Article 6, first paragraph, point (3)				
80	(3) in Article 14(3), the introductory wording, is replaced	(3) in Article 14(3), the introductory wording, is replaced	(3) in Article 14(3), paragraph 3 , the introductory wording, is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the following:	by the following:	replaced by the following:	
Article 6, first paragraph, point (3), amending provision, first paragraph				
81	“ The competent authority of the issuing State shall immediately inform the competent authority of any executing State concerned in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:” “	“ The competent authority of the issuing State shall immediately inform the competent authority of any executing State concerned in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:” “	“ The competent authority of the issuing State shall immediately inform the competent authority of any executing State concerned in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:” “	
Article 6, first paragraph, point (4)				
82	(4) Article 15 is replaced by the following:	(4) Article 15 is replaced by the following:	(4) Article 15 is replaced by the following:	
Article 6, first paragraph, point (4), amending provision, first paragraph				
83	“ Article 15	“ Article 15	“ Article 15	
Article 6, first paragraph, point (4), amending provision, second paragraph				
84	Termination of execution	Termination of execution	Termination of execution	
Article 6, first paragraph, point (4), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
85	The competent authority of the issuing State shall forthwith inform the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation] of any decision or measure as a result of which the order ceases to be enforceable or shall be withdrawn from the executing State for any other reason. The executing State shall terminate execution of the order as soon as it is informed by the competent authority of the issuing State of that decision or measure.;	The competent authority of the issuing State shall forthwith inform the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation] of any decision or measure as a result of which the order ceases to be enforceable or shall be withdrawn from the executing State for any other reason. The executing State shall terminate execution of the order as soon as it is informed by the competent authority of the issuing State of that decision or measure.;	The competent authority of the issuing State shall forthwith inform the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation] of any decision or measure as a result of which the order ceases to be enforceable or shall be withdrawn from the executing State for any other reason. The executing State shall terminate execution of the order as soon as it is informed by the competent authority of the issuing State of that decision or measure.";	
Article 6, first paragraph, point (5)				
86	(5) In Article 17, the introductory wording, is replaced by the following:	(5) In Article 17, the introductory wording, is replaced by the following:	(5) In Article 17, the introductory wording, is replaced by the following:	
Article 6, first paragraph, point (5), amending provision, first paragraph				
87	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:” “	with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:” “	with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:” “	
87a			(6) the following Article 18a is inserted:	
87b			" Article 18a Means of communication	
87c			Official communication under this Framework Decision between the competent authority of the issuing State and the competent authority of the executing State, in particular in application of Articles 4(2), 10(3), 10(4), 14(3), 15, 17, shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
87d			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) .../...[Digitalisation Regulation].	
87e			Where this Framework Decision 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. "	
Article 7				
88	Article 7 Amendments to Framework Decision 2008/909/JHA	Article 7 Amendments to Framework Decision 2008/909/JHA	Article 7 Amendments to Framework Decision 2008/909/JHA	
Article 7, first paragraph				
89				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Framework Decision 2008/909/JHA is amended as follows:	Framework Decision 2008/909/JHA is amended as follows:	Framework Decision 2008/909/JHA is amended as follows:	
Article 7, first paragraph, point (1)				
90	(1) in Article 5, paragraph 1 is replaced by the following:	(1) in Article 5, paragraph 1 is replaced by the following:	(1) in Article 5, paragraph 1 is replaced by the following:	
Article 7, first paragraph, point (1), amending provision, numbered paragraph (1)				
91	<p>“</p> <p>1. The judgment or a certified copy of it, together with the certificate, shall be forwarded, by the competent authority of the issuing State directly to the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the judgment, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”</p>	<p>“</p> <p>1. The judgment or a certified copy of it, together with the certificate, shall be forwarded, by the competent authority of the issuing State directly to the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the judgment, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”</p>	<p>“</p> <p>1. The judgment or a certified copy of it, together with the certificate, shall be forwarded, by the competent authority of the issuing State directly to the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the judgment, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. The originals or certified copies of documents may be sent in electronic form in accordance with Article 10 of the Regulation (EU) .../...[Digitalisation Regulation]*. All official written communications shall also be made</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			directly between the said competent authorities in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]."	
Article 7, first paragraph, point (1), amending provision, numbered paragraph (1), first paragraph				
92	_____	_____	_____	
Article 7, first paragraph, point (1), amending provision, numbered paragraph (1), second paragraph				
93	* 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 ...).; ”	* 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 ...).; ”	* 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 7, first paragraph, point (2)				
94	(2) in Article 16, paragraph 1 is replaced by the following:	(2) in Article 16, paragraph 1 is replaced by the following:	(2) in Article 16, paragraph 1 is replaced by the following:	
Article 7, first paragraph, point (2), amending provision, numbered paragraph (1)				
95				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>“</p> <p>1. Each Member State shall, in accordance with its law, permit the transit through its territory of a sentenced person who is being transferred to the executing State, provided that a copy of the certificate referred to in Article 4 of this Framework Decision has been forwarded to it by the issuing State together with the transit request. The transit request and the certificate may be transmitted in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. Upon request of the Member State to permit transit, the issuing State shall provide a translation of the certificate into one of the languages, to be indicated in the request, which the Member State requested to permit transit accepts.;”</p>	<p>“</p> <p>1. Each Member State shall, in accordance with its law, permit the transit through its territory of a sentenced person who is being transferred to the executing State, provided that a copy of the certificate referred to in Article 4 of this Framework Decision has been forwarded to it by the issuing State together with the transit request. The transit request and the certificate may be transmitted in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. Upon request of the Member State to permit transit, the issuing State shall provide a translation of the certificate into one of the languages, to be indicated in the request, which the Member State requested to permit transit accepts.;”</p>	<p>“</p> <p>1. Each Member State shall, in accordance with its law, permit the transit through its territory of a sentenced person who is being transferred to the executing State, provided that a copy of the certificate referred to in Article 4 of this Framework Decision has been forwarded to it by the issuing State together with the transit request. The transit request and the certificate may shall be transmitted in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation] 22a. Upon request of the Member State to permit transit, the issuing State shall provide a translation of the certificate into one of the languages, to be indicated in the request, which the Member State requested to permit transit accepts.;</p> <p>”</p>	
Article 7, first paragraph, point (3)				
96	(3) in Article 21, the introductory wording is replaced by the following:	(3) in Article 21, the introductory wording is replaced by the following:	(3) in Article 21, the introductory wording is replaced by the following:	
Article 7, first paragraph, point (3), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
97	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:. ”	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:. ”	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:. Regulation]:.”; ”	
97a			(4) the following Article 22a is inserted:	
97b			” Article 22a Means of communication	
97c			1. Official communication under this Framework Decision between the competent authority of the issuing State and the competent authority of the executing State, in particular in application of Articles 5(1), 16(1),	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			21, shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].	
97d			Where this Framework Decision 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.	
97e			2. The transit request made pursuant to Article 16(1) may also be sent through secure law enforcement communication channels. "	
Article 8				
98	Article 8 Amendments to Framework Decision 2008/947/JHA	Article 8 Amendments to Framework Decision 2008/947/JHA	Article 8 Amendments to Framework Decision 2008/947/JHA	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 8, first paragraph				
99	Framework Decision 2008/947/JHA is amended as follows:	Framework Decision 2008/947/JHA is amended as follows:	Framework Decision 2008/947/JHA is amended as follows:	
Article 8, first paragraph, point (1)				
100	(1) Article 6 is amended as follows:	(1) Article 6 is amended as follows:	(1) Article 6 is amended as follows:	
Article 8, first paragraph, point (1)(a)				
101	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	
Article 8, first paragraph, point (1)(a), amending provision, numbered paragraph (2)				
102	“ 2. The judgment and, where applicable, the probation decision, together with the certificate referred to in paragraph 1 of this Article, shall be forwarded by the competent authority of the issuing State directly to the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the judgment and,	“ 2. The judgment and, where applicable, the probation decision, together with the certificate referred to in paragraph 1 of this Article, shall be forwarded by the competent authority of the issuing State directly to the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the judgment and,	“ 2. The judgment and, where applicable, the probation decision, together with the certificate referred to in paragraph 1 of this Article, shall be forwarded by the competent authority of the issuing State directly to the competent authority of the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the judgment and,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	where applicable, the probation decision, or certified copies thereof, as well as the original of the certificate, shall be sent to the competent authority of the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	where applicable, the probation decision, or certified copies thereof, as well as the original of the certificate, shall be sent to the competent authority of the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	where applicable, the probation decision, or certified copies thereof, as well as the original of the certificate, shall be sent to the competent authority of the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities The originals or certified copies of documents may be sent in electronic form in accordance with Article 3 10 of the Regulation (EU) .../...[Digitalisation Regulation]*.”. All official communications shall also be made directly between the said competent authorities .	
Article 8, first paragraph, point (1)(a), amending provision, numbered paragraph (2), first paragraph				
103	_____	_____	_____	
Article 8, first paragraph, point (1)(a), amending provision, numbered paragraph (2), second paragraph				
104	* 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,	* 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,	* 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,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and amending certain acts in the field of judicial cooperation (OJ L ...).; ”	and amending certain acts in the field of judicial cooperation (OJ L ...).; ”	and amending certain acts in the field of judicial cooperation (OJ L ...).; ”	
Article 8, first paragraph, point (1)(b)				
105	(b) paragraph 7 is replaced by the following:	(b) paragraph 7 is replaced by the following:	(b) paragraph 7 is replaced by the following:	
Article 8, first paragraph, point (1)(b), amending provision, numbered paragraph (7)				
106	“ 7. When an authority of the executing State which receives a judgment and, where applicable, a probation decision, together with the certificate referred to in paragraph 1 of this Article, has no competence to recognise it and take the ensuing necessary measures for the supervision of the probation measure or alternative sanction, it shall, <i>ex officio</i> , forward it to the competent authority and shall without delay inform the competent authority of the issuing State accordingly in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	“ 7. When an authority of the executing State which receives a judgment and, where applicable, a probation decision, together with the certificate referred to in paragraph 1 of this Article, has no competence to recognise it and take the ensuing necessary measures for the supervision of the probation measure or alternative sanction, it shall, <i>ex officio</i> , forward it to the competent authority and shall without delay inform the competent authority of the issuing State accordingly in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	“ 7. When an authority of the executing State which receives a judgment and, where applicable, a probation decision, together with the certificate referred to in paragraph 1 of this Article, has no competence to recognise it and take the ensuing necessary measures for the supervision of the probation measure or alternative sanction, it shall, <i>ex officio</i> <i>ex officio</i> , forward it to the competent authority and shall without delay inform the competent authority of the issuing State accordingly in accordance with Article 3 of Regulation (EU) in accordance with Article 3 of Regulation (EU) in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 8, first paragraph, point (2)				
107	(2) in Article 12, paragraph 1 is replaced by the following:	(2) in Article 12, paragraph 1 is replaced by the following:	(2) in Article 12, paragraph 1 is replaced by the following:	
Article 8, first paragraph, point (2), amending provision, numbered paragraph (1)				
108	<p>“</p> <p>1. The competent authority of the executing State shall decide as soon as possible, and within 60 days of receipt of the judgment and, where applicable, the probation decision, together with the certificate referred to in Article 6(1) of this Framework Decision, whether or not to recognise the judgment and, where applicable, the probation decision and assume responsibility for supervising the probation measures or alternative sanctions. It shall immediately inform the competent authority of the issuing State of its decision, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; „</p>	<p>“</p> <p>1. The competent authority of the executing State shall decide as soon as possible, and within 60 days of receipt of the judgment and, where applicable, the probation decision, together with the certificate referred to in Article 6(1) of this Framework Decision, whether or not to recognise the judgment and, where applicable, the probation decision and assume responsibility for supervising the probation measures or alternative sanctions. It shall immediately inform the competent authority of the issuing State of its decision, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; „</p>	<p>“</p> <p>1. The competent authority of the executing State shall decide as soon as possible, and within 60 days of receipt of the judgment and, where applicable, the probation decision, together with the certificate referred to in Article 6(1) of this Framework Decision, whether or not to recognise the judgment and, where applicable, the probation decision and assume responsibility for supervising the probation measures or alternative sanctions. It shall immediately inform the competent authority of the issuing State of its decision, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; „</p>	
Article 8, first paragraph, point (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
109	(3) Article 16 is amended as follows:	(3) Article 16 is amended as follows:	(3) Article 16 is amended as follows:	
Article 8, first paragraph, point (3)(a)				
110	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
Article 8, first paragraph, point (3)(a), amending provision, numbered paragraph (1)				
111	“ 1. The competent authority of the executing State shall without delay inform the competent authority of the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], of all decisions on the:	“ 1. The competent authority of the executing State shall without delay inform the competent authority of the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], of all decisions on the:	“ 1. The competent authority of the executing State shall without delay inform the competent authority of the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], of all decisions on the:	
Article 8, first paragraph, point (3)(a), amending provision, numbered paragraph (1), point (a)				
112	(a) modification of the probation measure or alternative sanction;	(a) modification of the probation measure or alternative sanction;		
Article 8, first paragraph, point (3)(a), amending provision, numbered paragraph (1), point (b)				
113	(b) revocation of the suspension of the execution of the judgment or revocation of the decision on	(b) revocation of the suspension of the execution of the judgment or revocation of the decision on	(b) revocation of the suspension of the execution of the judgment or revocation of the decision on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	conditional release;	conditional release;	conditional release;	
Article 8, first paragraph, point (3)(a), amending provision, numbered paragraph (1), point (c)				
114	(c) enforcement of a custodial sentence or measure involving deprivation of liberty, because of non-compliance with a probation measure or alternative sanction;	(c) enforcement of a custodial sentence or measure involving deprivation of liberty, because of non-compliance with a probation measure or alternative sanction;	(c) enforcement of a custodial sentence or measure involving deprivation of liberty, because of non-compliance with a probation measure or alternative sanction;	
Article 8, first paragraph, point (3)(a), amending provision, numbered paragraph (1), point (d)				
115	(d) lapsing of the probation measure or alternative sanction.; ”	(d) lapsing of the probation measure or alternative sanction.; ”	(d) lapsing of the probation measure or alternative sanction.; ”	
Article 8, first paragraph, point (3)(b)				
116	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	
Article 8, first paragraph, point (3)(b), amending provision, numbered paragraph (3)				
117	“ 3. The competent authority of the issuing State shall immediately inform the competent authority of the executing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation],	“ 3. The competent authority of the issuing State shall immediately inform the competent authority of the executing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation],	“ 3. The competent authority of the issuing State shall immediately inform the competent authority of the executing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation],	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of any circumstances or findings which, in its opinion, could entail one or more of the decisions referred to in paragraph 1, points (a), (b) or (c) of this Article being taken. ; “	of any circumstances or findings which, in its opinion, could entail one or more of the decisions referred to in paragraph 1, points (a), (b) or (c) of this Article being taken. ; “	of any circumstances or findings which, in its opinion, could entail one or more of the decisions referred to in paragraph 1, points (a), (b) or (c) of this Article being taken. ; “	
Article 8, first paragraph, point (4)				
118	(4) in Article 17, paragraph 3 is replaced by the following:	(4) in Article 17, paragraph 3 is replaced by the following:	(4) in Article 17, paragraph 3 is replaced by the following:	
Article 8, first paragraph, point (4), amending provision, numbered paragraph (3)				
119	“ 3. Notice of the findings mentioned in paragraph 1 points (a) and (b) and in paragraph 2 of this Article shall be given using the standard form set out in Annex II. Notice of the facts and circumstances mentioned in paragraph 1, point (c), of this Article shall be given, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], including, where possible, through the form set out in Annex II of this Framework Decision.; ”	“ 3. Notice of the findings mentioned in paragraph 1 points (a) and (b) and in paragraph 2 of this Article shall be given using the standard form set out in Annex II. Notice of the facts and circumstances mentioned in paragraph 1, point (c), of this Article shall be given, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], including, where possible, through the form set out in Annex II of this Framework Decision.; ”	“ 3. Notice of the findings mentioned in paragraph 1 points (a) and (b) and in paragraph 2 of this Article shall be given using the standard form set out in Annex II. Notice of the facts and circumstances mentioned in paragraph 1, point (c), of this Article shall be given, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], including, where possible, through the form set out in Annex II of this Framework Decision.; ”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 8, first paragraph, point (5)				
120	(5) in Article 18, the introductory wording is replaced by the following:	(5) in Article 18, the introductory wording is replaced by the following:	(5) in Article 18, the introductory wording is replaced by the following:	
Article 8, first paragraph, point (5), amending provision, first paragraph				
121	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], of:.”	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], of:.”	“ The competent authority of the executing State shall without delay inform the competent authority of the issuing State, in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation], of: of:; ”	
121a			(6) the following Article 20a is inserted:	
121b			" Article 20a Means of communication	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
121c			Official communication under this Framework Decision between the competent authority of the issuing State and the competent authority of the executing State, in particular in application of Articles 6(2), 6(7), 12(1), 16(1), 16(3), 17(3), 18, shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].	
121d			Where this Framework Decision 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." "	
Article 9				
122	Article 9 Amendments to Framework Decision 2009/829/JHA	Article 9 Amendments to Framework Decision 2009/829/JHA	Article 9 Amendments to Framework Decision 2009/829/JHA	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 9, first paragraph				
123	Framework Decision 2009/829/JHA is amended as follows:	Framework Decision 2009/829/JHA is amended as follows:	Framework Decision 2009/829/JHA is amended as follows:	
Article 9, first paragraph, point (1)				
124	(1) in Article 10, paragraph 2 is replaced by the following:	(1) in Article 10, paragraph 2 is replaced by the following:	(1) in Article 10, paragraph 2 is replaced by the following:	
Article 9, first paragraph, point (1), amending provision, numbered paragraph (2)				
125	<p>“</p> <p>2. The decision on supervision measures or a certified copy of it, together with the certificate, shall be forwarded by the competent authority in the issuing State directly to the competent authority in the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the decision on supervision measures, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in</p>	<p>“</p> <p>2. The decision on supervision measures or a certified copy of it, together with the certificate, shall be forwarded by the competent authority in the issuing State directly to the competent authority in the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the decision on supervision measures, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities in</p>	<p>“</p> <p>2. The decision on supervision measures or a certified copy of it, together with the certificate, shall be forwarded by the competent authority in the issuing State directly to the competent authority in the executing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*. The original of the decision on supervision measures, or a certified copy of it, and the original of the certificate, shall be sent to the executing State if it so requires. All official written communications shall also be made directly between the said competent authorities The</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].”.	originals or certified copies of documents may be sent in electronic form in accordance with Article 3 of 10 10 of the Regulation (EU) .../...[Digitalisation Regulation]*. All official communications shall also be made directly between the said competent authorities .”.	
Article 9, first paragraph, point (1), amending provision, numbered paragraph (2), first paragraph				
126	_____	_____	_____	
Article 9, first paragraph, point (1), amending provision, numbered paragraph (2), second paragraph				
127	* 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 ...).; ”	* 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 ...).; ”	* 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 9, first paragraph, point (2)				
128	(2) in Article 20(2), the introductory wording is replaced	(2) in Article 20(2), the introductory wording is replaced	(2) in Article 20(2) 20 , paragraph 2 , the introductory wording is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the following:	by the following:	replaced by the following:	
Article 9, first paragraph, point (2), amending provision, first paragraph				
129	“ The competent authority in the executing State shall, without delay, inform the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. ”	“ The competent authority in the executing State shall, without delay, inform the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. ”	“ The competent authority in the executing State shall, without delay, inform the competent authority in the issuing State in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]. ”	
129a			(3) the following Article 23a is inserted:	
129b			" Article 23a Means of communication	
129c			Official communication under this Framework Decision between the competent authority	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>of the issuing State and the competent authority of the executing State, in particular in application of Articles 10(2), 20(2), shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].</p>	
129d			<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) .../...[Digitalisation Regulation].</p>	
129e			<p>Where this Framework Decision 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> <p style="text-align: right;">"</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10				
130	Article 10 Amendments to Framework Decision 2009/948/JHA	Article 10 Amendments to Framework Decision 2009/948/JHA	Article 10 Amendments to Framework Decision 2009/948/JHA	
Article 10, first paragraph				
131	Article 7 of Framework Decision 2009/948/JHA is replaced by the following:	Article 7 of Framework Decision 2009/948/JHA is replaced by the following:	Article 7 of Framework Decision 2009/948/JHA is replaced by the following:	
Article 10, first paragraph, amending provision, first paragraph				
132	“ Article 7	“ Article 7	“ Article 7	
Article 10, first paragraph, amending provision, second paragraph				
133	Means of communication	Means of communication	Means of communication	
Article 10, first paragraph, amending provision, third paragraph				
134	The contacting and contacted authorities shall communicate in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	The contacting and contacted authorities shall communicate in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	The contacting and contacted authorities shall communicate in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134a			<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) .../...[Digitalisation Regulation]".</p>	
Article 10, first paragraph, amending provision, fourth paragraph				
135	_____	_____	_____	
Article 10, first paragraph, amending provision, fifth paragraph				
136	<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 matters, and amending certain acts in the field of judicial cooperation (OJ L ...)..</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 matters, and amending certain acts in the field of judicial cooperation (OJ L ...)..</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 matters, and amending certain acts in the field of judicial cooperation (OJ L ...)..</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
136a			Article 10a Amendment to Directive 2011/99/EU	
136b			Directive 2011/99/EU is amended as follows:	
136c			(1) Article 8 is amended as follows:	
136d			(a) paragraph 1 is replaced by the following:	
136e			" "Where the competent authority of the issuing State transmits the European protection order to the competent authority of the executing State, it shall do so in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			accordance with Article 16a. All official communication shall also be made directly between those competent authorities." "	
136f			(b) paragraph 3 is replaced by the following:	
136g			" When an authority of the executing State which receives a European protection order has no competence to recognise it, that authority shall, ex officio, forward the European protection order to the competent authority and shall, without delay, inform the competent authority of the issuing State. "	
136h			(2) In Article 9, paragraph 4 is replaced by the following:	

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136i			<p>"</p> <p>If the competent authority in the executing State considers that the information transmitted with the European protection order in accordance with Article 7 is incomplete, it shall without delay inform the competent authority of the issuing State, assigning a reasonable period for it to provide the missing information.</p> <p>"</p>	
136j			<p>(3) the following Article 16a is inserted:</p>	
136k			<p>"</p> <p>"Article 16a</p> <p>Means of communication</p>	
136l			<p>Official communication under this Directive between the competent authority of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			issuing State and the competent authority of the executing State, in particular in application of Articles 8(1), 8(3), 9(4), shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	
136m			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) .../...[Digitalisation Regulation].".	"
Article 11				
137	Article 11 Amendment to Directive 2014/41/EU	Article 11 Amendment to Directive 2014/41/EU	Article 11 Amendment to Directive 2014/41/EU	
Article 11, first paragraph				
138	Directive 2014/41/EU is amended	Directive 2014/41/EU is amended	Directive 2014/41/EU is amended	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	as follows:	as follows:	as follows:	
Article 11, first paragraph, point (1)				
139	(1) in Article 7, paragraph 1 is replaced by the following:	(1) in Article 7, paragraph 1 is replaced by the following:	(1) in Article 7, paragraph 1 is replaced by the following:	
Article 11, first paragraph, point (1), amending provision, numbered paragraph (1)				
140	“ 1. The EIO completed in accordance with Article 5 of this Directive shall be transmitted from the issuing authority to the executing authority in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	“ 1. The EIO completed in accordance with Article 5 of this Directive shall be transmitted from the issuing authority to the executing authority in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	“ 1. The EIO completed in accordance with Article 5 of this Directive shall be transmitted from the issuing authority to the executing authority in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	
Article 11, first paragraph, point (1), amending provision, numbered paragraph (1), first paragraph				
141	_____	_____	=====	
Article 11, first paragraph, point (1), amending provision, numbered paragraph (1), second paragraph				
142	* 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,	* 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,	* _____ 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,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and amending certain acts in the field of judicial cooperation (OJ L ...).; ”	and amending certain acts in the field of judicial cooperation (OJ L ...).; ”	and amending certain acts in the field of judicial cooperation (OJ L ...).; ”	
142a			(2) In Chapter I, the following Article 5a is inserted:	
142b			” Article 5a Means of communication	
142c			Official communication under this Directive between the issuing authority and the executing authority, in particular in application of Articles 7(1), 15(2), 16(1), 16(2)(second subparagraph), 16(3), 31(1), shall be carried out in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]*.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
142d			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) .../...[Digitalisation Regulation].	
142e			Where this Directive 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."	
142f			_____	
142g			* Regulation (EU) [...] of the European Parliament and of the Council on the digitalisation of judicial cooperation and access	

	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 ...).";	"
Article 11, first paragraph, point (2)				
143	(2) in Article 15, paragraph 2 is replaced by the following:	(2) in Article 15, paragraph 2 is replaced by the following:	(2) in Article 15, paragraph 2 is replaced by the following:	
Article 11, first paragraph, point (2), amending provision, numbered paragraph (2)				
144	“ 2. As soon as the ground for postponement has ceased to exist, the executing authority shall forthwith take the necessary measures for the execution of the EIO and inform the issuing authority in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].;”	“ 2. As soon as the ground for postponement has ceased to exist, the executing authority shall forthwith take the necessary measures for the execution of the EIO and inform the issuing authority in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].;”	“ 2. As soon as the ground for postponement has ceased to exist, the executing authority shall forthwith take the necessary measures for the execution of the EIO and inform the issuing authority in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].;”	
Article 11, first paragraph, point (3)				
145	(3) Article 16 is amended as follows:	(3) Article 16 is amended as follows:	(3) Article 16 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11, first paragraph, point (3)(a)				
146	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	
Article 11, first paragraph, point (3)(a), amending provision, numbered paragraph (2)				
147	“ 2. Without prejudice to Article 10(4) and (5) of this Directive the executing authority shall inform the issuing authority immediately by any means:	“ 2. Without prejudice to Article 10(4) and (5) of this Directive the executing authority shall inform the issuing authority immediately by any means:	“ 2. Without prejudice to Article 10(4) and (5) of this Directive the executing authority shall inform the issuing authority immediately by any means:	
Article 11, first paragraph, point (3)(a), amending provision, numbered paragraph (2), point (a)				
148	(a) if it is impossible for the executing authority to take a decision on the recognition or execution due to the fact that the form provided for in Annex A is incomplete or manifestly incorrect;	(a) if it is impossible for the executing authority to take a decision on the recognition or execution due to the fact that the form provided for in Annex A is incomplete or manifestly incorrect;		
Article 11, first paragraph, point (3)(a), amending provision, numbered paragraph (2), point (b)				
149	(b) if the executing authority, in the course of the execution of the EIO, considers without further enquiries that it may be appropriate to carry out investigative measures not initially foreseen, or which	(b) if the executing authority, in the course of the execution of the EIO, considers without further enquiries that it may be appropriate to carry out investigative measures not initially foreseen, or which	(b) if the executing authority, in the course of the execution of the EIO, considers without further enquiries that it may be appropriate to carry out investigative measures not initially foreseen, or which	

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	could not be specified when the EIO was issued, in order to enable the issuing authority to take further action in the specific case; or	could not be specified when the EIO was issued, in order to enable the issuing authority to take further action in the specific case; or	could not be specified when the EIO was issued, in order to enable the issuing authority to take further action in the specific case; or	
Article 11, first paragraph, point (3)(a), amending provision, numbered paragraph (2), point (c)				
150	(c) if the executing authority establishes that, in the specific case, it cannot comply with formalities and procedures expressly indicated by the issuing authority in accordance with Article 9.	(c) if the executing authority establishes that, in the specific case, it cannot comply with formalities and procedures expressly indicated by the issuing authority in accordance with Article 9.	(c) if the executing authority establishes that, in the specific case, it cannot comply with formalities and procedures expressly indicated by the issuing authority in accordance with Article 9.	
Article 11, first paragraph, point (3)(a), amending provision, numbered paragraph (2), first paragraph				
151	Upon request by the issuing authority, the information shall be confirmed without delay in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	Upon request by the issuing authority, the information shall be confirmed without delay in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation].; ”	Upon request by the issuing authority, the information shall be confirmed without delay in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]5a ”;	
Article 11, first paragraph, point (3)(b)				
152	(b) in paragraph 3, the introductory wording is replaced by the following:	(b) in paragraph 3, the introductory wording is replaced by the following:	(b) in paragraph 3, the introductory wording is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11, first paragraph, point (3)(b), amending provision, first paragraph				
153	“ Without prejudice to Article 10(4) and (5) of this Directive the executing authority shall inform the issuing authority without delay in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:. ”	“ Without prejudice to Article 10(4) and (5) of this Directive the executing authority shall inform the issuing authority without delay in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:. ”	“ Without prejudice to Article 10(4) and (5) of this Directive the executing authority shall inform the issuing authority without delay in accordance with Article 3 of Regulation (EU) .../...[Digitalisation Regulation]:. ”	
CHAPTER III				
154	CHAPTER III TRANSPOSITION	CHAPTER III TRANSPOSITION	CHAPTER III TRANSPOSITION	
Article 12				
155	Article 12 Transposition of Articles 3, 7 and 11	Article 12 Transposition of Articles 3, 7 and 11	Article 12 Transposition of Articles 3, 7 and 11	
Article 12, first paragraph				
156	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(3) of	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(3) of	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(3) of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EU) .../... (Digitalisation Regulation) at the latest, the laws, regulations and administrative provisions necessary to comply with Articles 3, 7 and 11. They shall forthwith communicate to the Commission the text of those provisions.	Regulation (EU) .../... (Digitalisation Regulation) at the latest, the laws, regulations and administrative provisions necessary to comply with Articles 3, 7 and 11. They shall forthwith communicate to the Commission the text of those provisions.	Regulation (EU) .../... (Digitalisation Regulation) at the latest, the laws, regulations and administrative provisions necessary to comply with Articles 3, 7 and 11. They shall forthwith communicate to the Commission the text of those provisions.	
Article 12, second paragraph				
157	They shall apply those provisions 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) of Regulation (EU) .../... [Digitalisation Regulation].	They shall apply those provisions 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) of Regulation (EU) .../... [Digitalisation Regulation].	They shall apply those provisions 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) of Regulation (EU) .../... [Digitalisation Regulation].	
Article 12, third paragraph				
158	When Member States adopt those provisions, they shall contain a reference to Articles 3, 7 and 11 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Articles 3, 7 and 11 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Articles 3, 7 and 11 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
Article 13				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
159	Article 13 Transposition of Article 1	Article 13 Transposition of Article 1	Article 13 Article 13 Transposition of Article 1 Articles 1, 7 and 10a	
Article 13, first paragraph				
160	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(4) of Regulation (EU) .../... (Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Article 1. They shall forthwith communicate to the Commission the text of those provisions.	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(4) of Regulation (EU) .../... (Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Article 1. They shall forthwith communicate to the Commission the text of those provisions.	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(4) of Regulation (EU) .../... (Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Article 1 Articles 1, 7 and 10a . They shall forthwith communicate to the Commission the text of those provisions.	
Article 13, second paragraph				
161	They shall apply those provisions 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) of Regulation (EU) .../... [Digitalisation Regulation] .	They shall apply those provisions 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) of Regulation (EU) .../... [Digitalisation Regulation] .	They shall apply those provisions 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) of Regulation (EU) .../... [Digitalisation Regulation] Digitalisation	

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			Regulation].	
Article 13, third paragraph				
162	When Member States adopt those provisions, they shall contain a reference to Article 1 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Article 1 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Article 1 Articles 1, 7 and 10a of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
Article 14				
163	Article 14 Transposition of Articles 4, 5, 6 and 10	Article 14 Transposition of Articles 4, 5, 6 and 10	Article 14 Transposition of Articles 4, 5, 6 and 10	
Article 14, first paragraph				
164	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(5) of Regulation (EU) .../...(Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Articles	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(5) of Regulation (EU) .../...(Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Articles	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(5) of Regulation (EU) .../...(Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Articles	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4, 5, 6 and 10. They shall forthwith communicate to the Commission the text of those provisions.	4, 5, 6 and 10. They shall forthwith communicate to the Commission the text of those provisions.	4, 5, 6 and 10. They shall forthwith communicate to the Commission the text of those provisions.	
Article 14, second paragraph				
165	They shall apply those provisions 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) of Regulation (EU) .../...[Digitalisation Regulation].	They shall apply those provisions 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) of Regulation (EU) .../...[Digitalisation Regulation].	They shall apply those provisions 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) of Regulation (EU) .../...[Digitalisation Regulation].	
Article 14, third paragraph				
166	When Member States adopt those provisions, they shall contain a reference to Articles 4, 5, 6, 10 and 11 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Articles 4, 5, 6, 10 and 11 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Articles 4, 5, 6, 10 and 11 and 10 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
Article 15				
167	Article 15 Transposition of Articles 2, 8 and 9	Article 15 Transposition of Articles 2, 8 and 9	Article 15 Article 15 Transposition of Articles 2, 8 and	

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			9	
Article 15, first paragraph				
168	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(6) of Regulation (EU) .../... (Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Articles 2, 8 and 9. They shall forthwith communicate to the Commission the text of those provisions.	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(6) of Regulation (EU) .../... (Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Articles 2, 8 and 9. They shall forthwith communicate to the Commission the text of those provisions.	Member States shall adopt and publish, by [two years from the adoption of the Implementing act referred to in Article 12(6) of Regulation (EU) .../... (Digitalisation Regulation)] at the latest, the laws, regulations and administrative provisions necessary to comply with Articles 2, 8 and 9. They shall forthwith communicate to the Commission the text of those provisions.	
Article 15, second paragraph				
169	They shall apply those provisions 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(6) of Regulation (EU) .../... [Digitalisation Regulation] .	They shall apply those provisions 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(6) of Regulation (EU) .../... [Digitalisation Regulation] .	They shall apply those provisions 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(6) of Regulation (EU) .../... [Digitalisation Regulation] .	
Article 15, third paragraph				
170				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	When Member States adopt those provisions, they shall contain a reference to Articles 2, 8 and 9 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Articles 2, 8 and 9 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to Articles 2, 8 and 9 of this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
Article 16				
171	Article 16 Entry into force	Article 16 Entry into force	Article 16 Entry into force	
Article 16, first paragraph				
172	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 17				
173	Article 17	Article 17	Article 17	
Article 17, first paragraph				
174	This Directive is addressed to the Member States in accordance with	This Directive is addressed to the Member States in accordance with	This Directive is addressed to the Member States in accordance with	

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	the Treaties.	the Treaties.	the Treaties.	
Formula				
175	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
176	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
177	The President	The President	The President	
Formula				
178	For the Council	For the Council	For the Council	
Formula				
179	The President	The President	The President	