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## **WORKING DOCUMENT**

From:	IT delegation
To:	Delegations
Subject:	Proposal for a European Regulation COM (2017) 256 final on establishing a Single Digital Gateway - Italy position for the meeting of 27 October 2017



Presidenza del Consiglio dei Ministri  
DIPARTIMENTO PER LE POLITICHE EUROPEE

## **Proposal for a European Regulation COM (2017) 256 final on establishing a Single Digital Gateway**

### **Italy position for the meeting of 27 October 2017**

With reference to the agenda of the meeting of 27<sup>th</sup> October 2017, whose purpose is to analyze Articles from 11 to 37, their relevant recitals, and the Annexes of the new compromise proposal submitted on 20<sup>th</sup> October 2017 by the Estonian Presidency, Italy states as follow.

We thank the Presidency for the efforts made and for welcoming some proposal for modifying submitted by Italy. However, even giving favourable consideration to some modifications made to the proposal of Regulation, we maintain a reservation pending the examination of the whole text, considering the need of coordinating the involved administrations, in particular those in charge with the implementation of the 13 procedures provided for by the II Annex. In fact, it is necessary to carefully evaluate deployment feasibility, costs and times. Furthermore, Italian authorities responsible for digital development, have expressed strong doubts as to the adequacy of the SDG, since it is based on obsolete systems, e.g. links, that are likely to be outdated by the time when the Regulation enters into force (within 2-4 years).

More specifically, the following is observed:

#### **Article 11 - Cross-border access to online procedures (recital 26)**

We reiterate the position we have already expressed regarding the paragraph 2. We retain that the mandatory acceptance provided for by paragraph 2 could probably not be implemented or would entail an administrative load and an increased risk of illicit activity.

With regard to paragraph 3, since it seems that the new formulation aims to exclude the implementation of the IMI as exchange of evidence system, in favour of the development of a new technical system, more detailed specifications regarding the above-mentioned system are required.

With regard to recital 26, we propose to replace “should” with “shall”.

#### **Article 12 - Cross-border exchange of evidence between competent authorities (recital 29a)**

We agree with the new formulation of the article, which is also consistent with the commitment undertaken in Tallin regarding the promotion of building blocks, mentioned in recital 29a.

#### **Article 13 - Quality requirements related to assistance and problem solving services (recital 25, 25a, 25b)**

We approve the new formulation of the article.

#### **Article 14 – Quality monitoring (recital 32)**

We entirely reiterate the comments made in the paper of July, which are shown below:

The Article describes a possible monitoring and deterrent mechanism that ensures high quality of the offer of information and services by Member States through the gateway. If it is surely right that the regulation proposal embraces such aspects, it seems to us that the temporary or definitive interruption of the link between the gateway and the national pages represents a damage more for the gateway image than for the non-compliant Member State. It should be reminded that the visibility of information or services on the web is never determined by the presence of some links within a single portal, but most times by the frequency of quotes or use of such links on the network.

However, although the information and services deemed to be of low quality, that the Commission decided to disconnect from the gateway, could continue to be retrievable on national sites through any search engine, the absence of information and links with assistance and problem solving services may discourage European enterprises from requesting services in Italy.

#### **Art. 15 – Common user interface (recital 33, 33a e 33b)**

We find the reference to the Core Public Services Vocabulary, introduced by recital 33, to be useful. However, we reaffirm our concerns with the feasibility of implementing a completely new multilingual search-engine in due time.

#### **Art. 16 – Repository for links (recital 33)**

Our doubts regarding the valid and effective use of links persist.

#### **Art. 21 – User statistics (recital 35 e 36)**

The text provides that the collection and analysis of data should be made by competent authorities, Assistance Centres and the Commission. Should not be possible to automatically fulfil this activity, it will result in additional burden for the Member States.

We therefore agree with the suppression of paragraph 3.

#### **Art. 22 – User Feedback on the services of the gateway (recital 37)**

Perplexities remain towards the functioning of tools, and towards the effective possibility of harmonizing and comparing them between the different national systems for statistic purposes.

#### **Art. 23 – Reporting on the functioning of the internal market (recital 38)**

With regard to paragraph 3, it is still not clear what the procedure and the potential repercussions for competent authorities would be, in terms of both responsibility and ability to remedy.

#### **Art. 24 – National coordinators (recital 38a)**

We **place** a reservation on the whole Chapter VII.

With regard to Article 24, paragraph 1, we do not agree with the use of a plural for the national coordinator. We consider the explanation in recital 38a to be sufficient.

#### **Art. 28 – Costs (recital 39a)**

In assessing contents of recital 39a, with particular regard to the translation costs, we maintain a reservation pending the examination of Article 28, because of the difficulty of determining the SDG impact in terms of costs, in particular about the back-office.

#### **Art. 30 – Cooperation with other information and assistance networks (recital 40a)**

We find this Article to be unclear and difficult to enforce. As already stated during the process of negotiation, it is unclear how the group of coordinators might be connected with the existing nets, since for some of them there is no national contact point.

#### **Art. 34 - Exercise of the delegation (recital 35)**

We agree with the suppression of the Article.

#### **Art. 36 – Amendment to Regulation (UE) n. 1024/2012**

We agree with the modifications made to the article.

#### **Art. 37 – Entry into force**

We appreciate the effort made by the Presidency in introducing a longer period for the entry into force of the new provisions on Articles 5 (access to procedures) and 12 (exchange of evidence). However, we join the other delegations in requesting that these provisions might enter into force within 5 years.

With regard to the II Annex, we reiterate our request that only those procedures already available in each Member State shall be requested on-line.

#### **SOLVIT IT position**

We share French and Bulgarian worries. If SOLVIT join the gateway, we ask that the art. 13 of the Regulation, regarding the quality criteria, doesn't apply to SOLVIT, because this is based on a voluntary engagement of Member States following the Recommendation. We consider useful a further clarification on this point in the recital 22.