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From:	SI delegation
To:	Coreper I
Subject:	Comments from Slovenia based on the Presidency compromise text from the 17th of November 2017 on the Proposal for a Regulation on establishing a single digital gateway (SDG)

PROPOSAL FOR A REGULATION ON ESTABLISHING A SINGLE DIGITAL GATEWAY (SDG)

version of 17 Nov 2017

COMMENTS FROM SLOVENIA, 21 November 2017

The key issues:

Article 5

- par 3 (c)» in a way that ensures delivery of an automatic acknowledgement of receipt, unless the output of the procedure is delivered immediately, and « This is too detailed specified. We propose: »in a way that ensures the acknowledgement of receipt, **unless the output of the procedure is delivered immediately, where applicable**«
- par 4: The regulation should not impose more burden if not necessary. If there is a procedure that must be to some extent performed in person it should not be obligatory to perform the rest of the procedure fully online if this imposes unnecessary burden to the user. We propose to add to the end of paragraph »... shall ensure that other steps of the procedure can be completed fully online **unless disproportional regarding the benefits of the user**«.

Article 11

In par. 1 (d) we propose to add (support LU proposal form 16 Nov):

- »users are able to provide evidence of compliance with applicable requirements in electronic format **in all cases where this is also possible for national users technically and legally possible in a manner that is comparable to the national approach in regard to efficiency, security, avoidance of fraud and as long as this doesn't cause an undue burden by leading to costs that are clearly and strongly disproportional in regard to the benefits**«
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Support LU written comments as from 16 and 21 Nov 2017!

We propose some additional improvements:

- The term “Technical system” is used for very complex system and task. We call upon to improve terminology, for example “OOP platform”.
- The word »automatic« is used when referring to the once-only principle. This word imposes, that something goes without the human intervention. Art 12 explicitly demands preview and request, though this is a contradiction with »automatic«. We propose that this word should be omitted.
- Implementing Act from Article 12 will be very important regulation for successful implementation of OOP principle. Its preparation will require exhaustive interoperability coordination between MSs and the Commission. We propose to foresee the special expert/coordination group to accomplish this task. National coordinators in Article 26 in the present text do not cover this issue.

Article 18

We propose to:

- add the search engine on the list of Commission's responsibilities – new par. 1 (c1)
- to add new paragraph 3 with the responsibility on the technical systems implementing Article 12

Responsibilities for ICT tools and applications supporting the gateway

1. The Commission shall be responsible for the development, availability, maintenance, security and hosting of the following ICT tools, applications and webpages:

(b) the single portal referred to in Article 2(1);

(c) the common user interface referred to in Article 15(1);

(c1) the search engine or any other ICT tool that enables searchability of web information and services

(d) the repository for links referred to in Article 16(1);

(e) the common assistance service finder referred to in Article 17;

(f) the user feedback tools referred to in Articles 22(1) and 23(1)(a).

The Commission shall work in close cooperation with the Member States to develop the ICT applications.

2. Competent authorities shall be responsible for the development, availability, maintenance and security of ICT applications related to webpages they are managing and which are linked to the common user interface.

3. **The Commission shall be responsible for the development, availability, maintenance, upgrading, security and hosting of technical system referred to in Article 12.**

Article 37

As already expressed we support the German proposal of 5 year implementation period for the whole proposal. Especially we call upon for the longer implementation for Art 5, 11 and 12.