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NOTE

From:	Presidency
To:	Working Party on Competitiveness and Growth (Internal Market - Attachés) Working Party on Technical Harmonisation (SMEI Omnibus) Working Party on Competitiveness and Growth (Internal Market)
Subject:	Proposal for a directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU and 2014/68/EU as regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance due to a Single Market emergency - latest version of the 4-column table

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a Single Market emergency instrument and repealing Council Regulation No (EC) 2679/98 (Text with EEA relevance)

2022/0278(COD)

DRAFT [Version after T4_Following TM on 12 February]

13-02-2024 at 10h25

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2022/0278 (COD)	2022/0278 (COD)	2022/0278 (COD)	2022/0278 (COD)
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a Single Market emergency instrument and repealing Council Regulation No (EC) 2679/98 (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a ~~*Single*~~***framework of measures on emergency and resilience of the internal market (Internal*** market emergency ~~*instrument and repealing*~~***and resilience act) and amending*** Council Regulation ~~*No (EC) 2679/98*~~***(EC) No 2679/98*** (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a Single Market emergency instrument ~~and repealing Council Regulation No (EC) 2679/98~~ (Text with EEA relevance)	~~*Proposal for a*~~ REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a ~~*Single Market*~~***framework of measures on the*** emergency ~~*instrument and repealing*~~***and resilience of the internal market and amending*** Council Regulation ~~*No (EC) 2679/98*~~***(EC) No 2679/98 (Internal Market Emergency and Resilience Act)*** (Text with EEA relevance)
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE

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	EUROPEAN UNION,	EUROPEAN UNION,	EUROPEAN UNION,	EUROPEAN UNION,
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114, 21 and 45 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114, 21 and ~~45~~***46*** thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles ~~114, 21 and 45~~ **21, 46 and 114** thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles ~~*114, 21 and 45*~~ ***21, 46 and 114*** thereof,
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .
Citation 5				
8	Having regard to the opinion of the	Having regard to the opinion of the	Having regard to the opinion of the	Having regard to the opinion of the

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	Committee of the Regions[1], 1. OJ C , , p. .	Committee of the Regions[1], 1. OJ C , , p. .	Committee of the Regions[1], 1. OJ C , , p. .	Committee of the Regions[1], 1. OJ C , , p. .
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Formula				
10	Whereas:	Whereas:	Whereas:	Whereas:
Recital 1				
11	(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market and its supply chains can be severely affected by such crises, and appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts.	(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market ~~(also referred to as the Single Market~~ and its supply chains can be severely affected ~~by such crises~~, and appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the ~~Single~~***internal*** market or do not allow for a timely ***and effective*** response to such ~~impacts~~***crises***.	(1) Past crises, ~~especially the early days of the COVID-19 pandemic, have shown that~~**have shown that the free movement of goods, persons and services in** the internal market **within the meaning of Article 26(2) of TFEU** (~~also~~ referred to as the **"**Single Market**")** and its supply chains can be severely affected**. This may have consequences on cross-border trade between Member States, thus creating obstacles to the proper functioning of the Single Market. Furthermore, during those crises** ~~by such crises, and~~ appropriate crisis management tools and coordination mechanisms ~~are~~**were** either lacking, ~~do~~**did** not	(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the ~~internal market (also referred to as the Single~~***free movement of goods, persons and services in the internal*** market and its supply chains can be severely affected***. This may have consequences on cross-border trade between Member States, thus creating obstacles to the proper functioning of the internal market. Furthermore, during those crises,*** ~~by such crises, and~~ appropriate crisis management tools and coordination mechanisms ~~are~~***were*** either lacking, ~~do~~***did*** not cover all aspects of the ~~Single~~***internal*** market or ~~do~~***did*** not allow for a timely ***and effective***

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			cover all aspects of the Single Market or ~~do~~**did** not allow for a timely response to such **barriers and** impacts.	response to such ~~*impacts*~~***crises***.
Recital 2				
12	(2) The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market and to ensure the availability of crisis-relevant non-medical goods during the COVID-19 pandemic were necessarily reactive The pandemic also revealed insufficient overview of manufacturing capacities across the Union as well as vulnerabilities related to the global supply chains.	(2) The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the ~~*Single*~~***internal*** market and to ensure the availability of crisis-relevant non-medical goods during the COVID-19 pandemic were necessarily reactive. The pandemic also revealed insufficient overview of manufacturing capacities across the Union as well as vulnerabilities related to the global supply chains.	(2) **In the early phase of the COVID 19 crisis Member States introduced barriers to free movement on the Single Market as well as diverging measures on the supply of goods and services that were of critical importance or were indispensable for responding to the crisis, which could not always be justified. Ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market based on the existing rules were not sufficient.** The Union was not sufficiently prepared to ensure efficient **access,** manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, ~~especially in the early phase of the COVID-19 pandemic~~ and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market ~~and~~**were deficient. Measures** to ensure the availability of crisis-relevant non-medical goods during the COVID~~-19 pandemic~~ **19**	(2) ***In the early phase of the COVID 19 crisis Member States introduced barriers to free movement on the internal market as well as diverging measures on the supply of goods and services that were of critical importance or were indispensable for responding to the crisis, which could not always be justified.*** ~~*The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the*~~ Ad-hoc measures taken by the Commission in order to re-establish the functioning of the ~~*Single*~~***internal*** market ***based on the existing rules were not sufficient. The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment. Measures*** ~~*and*~~ to ensure the availability of crisis-

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			crisis were necessarily reactive**.** The pandemic also revealed insufficient **information sharing and** overview of manufacturing capacities across the Union as well as vulnerabilities related to the **intra-EU and** global supply chains.	relevant non-medical goods during the COVID-19 ~~*pandemic*~~***crisis*** were necessarily reactive**.** The pandemic also revealed insufficient ***information sharing and*** overview of manufacturing capacities across the Union as well as vulnerabilities related to the ***intra-EU and*** global supply chains.
Recital 2a				
G 12a		***(2a) During the COVID-19 pandemic, uncoordinated measures restricting the free movement of persons had a particular impact on critical sectors, particularly those that rely on mobile workers, including frontier and cross-border workers, who played an essential role in keeping the Union economy going during that time.***		***(2a) Furthermore, uncoordinated measures restricting the free movement of persons had a particular impact on sectors that rely on mobile workers, including workers in border regions, who played an essential role in the internal market during that time.***
Recital 3				
G 13	(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ofclarity as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being cause by the crisis. In addition it became clear that uncoordinated restrictive actions	(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ~~*ofclarity*~~***of clarity*** as to which ~~*part of the*~~ national ~~*administration*~~***authority*** to contact to find rapid solutions to the impact on the ~~*Single*~~***internal*** market ~~*being cause*~~***caused*** by the crisis. In addition**,** it became clear	(3) **The Council could through the integrated political crisis response (IPCR) quickly exchange information and coordinate certain actions with regard to the COVID 19 crisis, while Member States acted independently in other situations. However,** actions by the Commission were delayed by several weeks due to the lack of ~~any~~	(3) ***The Council could through the integrated political crisis response (IPCR) exchange information and coordinate certain actions with regard to the COVID 19 crisis, while Member States acted independently in other situations. However,*** actions by the Commission were delayed by several weeks due to the lack of ~~*any*~~

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	taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.	that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the ~~Single~~***internal*** market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange. ***Additionally, it became evident that the lack of effective coordination between Member States exacerbated the shortages of goods and created more obstacles to the free movement of services and persons***	Union wide contingency planning measures and ~~ofclarity~~**of clarity** as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being ~~cause~~**caused** by the crisis. In addition it ~~became clear~~**appeared** that uncoordinated restrictive actions **and measures** taken by the Member States ~~would further aggravate the impacts of~~**actually did leave an impact or did aggravate further** the crisis on the Single Market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.	Union wide contingency planning measures and ~~ofclarity~~***of clarity*** as to which ~~part of the~~ national ~~administration~~***authority*** to contact to find rapid solutions to the impact on the ~~Single~~***internal*** market ~~being cause~~***caused*** by the crisis. In addition, it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the ~~Single~~***internal*** market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange. ***Additionally, it became clear that the lack of effective coordination between Member States exacerbated the shortages of goods and created more obstacles to the free movement of services and persons.***
Recital 4				
G 14	(4) Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to	(4) ~~Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the crisis response measures~~***Yet, despite the initial lack of coordination, the internal market rules played a key role in mitigating the negative***	(4) Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the **restrictions to free movement introduced and** crisis response measures of the Member States during the ~~pandemics~~**pandemic.**	(4) Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the ***restrictions to free movement introduced and*** crisis response measures of the Member States during the ~~pandemics~~***pandemic.*** G

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	language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights or continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures	***impact*** of the ~~*Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all*~~***crisis and in ensuring a swift recovery of the economy of the Union, namely by precluding unjustified and disproportionate national restrictions contained in the unilateral responses by*** the Member States~~*, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights or continue cross-border business operations during the crisis*~~ ***and by providing a strong incentive to find common solutions, thus promoting solidarity***~~*. It is necessary to improve the availability of information on national and Union level crisis response measures*~~	**This was partly due to a lack of transparency from Member State authorities**, partly due to **economic operators** not knowing where to obtain such information~~, partly due to~~**. Other reasons were** language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they ~~may rely on~~**could exercise** their free movement rights or continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level **restrictions to free movement and** crisis response measures**.**	***This was partly due to a lack of transparency from Member State authorities***, partly due to ***economic operators*** not knowing where to obtain such information~~*, partly due to*~~***. Other reasons were*** language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they ~~*may rely on*~~***could exercise*** their free movement rights or continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level ***restrictions to free movement and*** crisis response measures***.*** ***(4a) Yet, despite the initial lack of coordination, the internal market rules played a key role in mitigating the negative impact of the crisis and in ensuring a swift recovery of the economy of the Union, namely by precluding unjustified and disproportionate national restrictions contained in the unilateral responses by the Member States and by providing a strong incentive to find common solutions, thus promoting solidarity.***

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Recital 5				
15	(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, it is necessary to provide for an instrument that would apply with regards to impacts on the Single Market of a wide range of crises.	(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, ~~*especially as we consider*~~***in particular considering*** the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of ***future*** crises could ~~*come up next and produce*~~***occur and have a*** severe ~~*impacts*~~***impact*** on the ~~*Single*~~***internal*** market and its supply chains ~~*in the future*~~, it is necessary to provide for an instrument that would apply ~~*with regards to impacts on the Single Market*~~***in the event of the occurrence*** of a wide range of crises ***that have an impact on the internal market and have a cross border effect***.	(5) These recent events have also highlighted the need for the Union to be better prepared **and coordinated** for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities**. Other crises, which could require a quicker response to prevent barriers to the free movement in the Single Market and avoid severe disruptions of supply chains that are indispensable in the maintenance of activities in the Single Market, include for example forest fires, earthquakes or large-scale cyber attacks**. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, it is necessary to provide for an instrument that would apply with regards to impacts on the Single Market of a wide range of crises.	(5) These recent events have also highlighted the need for the Union to be better prepared ***and coordinated*** for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. ***Other crises, which could require a quicker response to prevent barriers to the free movement in the internal market and avoid severe disruptions of supply chains that are indispensable in the maintenance of activities in the internal market, include for example forest fires, earthquakes or large-scale cyber attacks. The fact that all those crises constitute exceptional and sudden events of extraordinary nature and scale, implies that those events are reasonably unexpected.*** Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the ~~*Single*~~***internal*** market and its supply chains in the future, it is necessary to provide for an instrument that would apply with regards to impacts on the ~~*Single*~~***internal*** market of a wide range of crises.

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Recital 6				
16	(6) The impact of a crisis on the Single Market can be two-fold. On the one hand, a crisis can lead to obstacles to free movement within the Single Market, thus disrupting its normal functioning. On the other hand, a crisis can amplify shortages of crisis-relevant goods and services on the Single Market. The Regulation should address both types of impacts on the Single Market.	(6) The impact of a crisis on the ~~Single~~***internal*** market can ~~be two-fold. On the one hand, a crisis can~~ lead to obstacles to free movement within the ~~Single~~***internal*** market, thus disrupting its normal functioning. ~~On the other hand,~~ A crisis can ~~amplify~~***exacerbate*** shortages of crisis-relevant goods and services on the ~~Single~~***internal*** market. ~~The~~***This*** Regulation should address ~~both types of impacts on the Single~~***the detrimental impact on the free movement of goods, services or persons in the internal*** market.	(6) ~~The impact of~~ A crisis ~~on the Single Market can be two-fold. On the one hand~~, a ~~crisis~~**and the impacts thereof** can lead to obstacles to free movement within the Single Market, thus disrupting its ~~normal~~**proper** functioning. ~~On the other hand~~**Furthermore**, a crisis **which has caused the aforementioned obstacles can also** ~~can~~ amplify shortages of crisis-relevant goods and services on the Single Market~~. The Regulation should~~ **and hinder production, thus also disrupting its proper functioning and the emergence or likely emergence of diverging national measures to** address ~~both~~**those issues regarding the supply chains in the Single Market. This Regulation addresses these** types of impacts on the Single Market **and introduces measures to avoid obstacles that create shortages of crisis-relevant goods and services that can impact the supply chains. Such impact on the supply chains could hinder production and ultimately lead to additional barriers to trade and to the distortion of competition between Member States and between private operators**.	(6) The impact of a crisis on the ~~Single~~***internal*** market can ~~be two-fold. On the one hand, a crisis can lead~~***hinder the functioning of internal market in two ways. It can give rise*** to obstacles to ***the*** free movement ~~within the Single~~***or it can cause disruptions to the supply chains. The latter can exacerbate shortages of goods and services on the internal*** market ***and hinder production, thus also disrupting proper~~, thus disrupting its normal~~*** functioning~~. On the other hand, a crisis can amplify shortages of crisis-relevant goods and services on the Single~~***of the internal market as well as lead to the emergence or likely emergence of diverging national measures to address those issues regarding the supply chains in the internal market, leading to an internal*** market ***emergency mode. This~~. The~~*** Regulation should address ~~both~~***these*** types of impacts on the ~~Single~~***internal*** Market ***and introduces measures to avoid obstacles to the free movement or supply chain disruptions that create shortages of crisis-relevant goods and services . Such impact on the supply chains could hinder production and ultimately lead to additional barriers to trade and to the distortion of competition***

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				between Member States and between private operators.
Recital 6a				
16a			**(6a) In order to avoid unneccessary administrative burden on Member States, incidents reported under the ad hoc alert mechanism should be defined in such a manner that they exclude events of a negligible foreseeable consequence on the free movement of goods, services and persons, including workers, or on the supply chains of goods and services that are indispensable for the maintenance of vital societal or economic activities in the Single Market.**	***(6a) In order to avoid unnecessary administrative burden on Member States, incidents reported under the ad hoc alert mechanism for early warning should be defined in such a manner that they exclude events of a negligible foreseeable consequence on the free movement of goods, services and persons, including workers, or on the supply chains of goods and services that are indispensable for the maintenance of vital societal or economic activities in the internal market.***
Recital 6b				
16b			**(6b) Where the provisions of Council Regulation (EC) No 2679/98 conflict or overlap with the relevant provisions of this Regulation entered into application later, the relevant provisions of this Regulation should prevail. For example, when an obstacle or a threat thereof within the meaning of Council Regulation (EC) No 2679/98 becomes a significant incident**	*deleted*

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			within the meaning of this Regulation, the relevant provisions of this Regulation should apply to that situation.	
Recital 7				
G *17*	*(7)* Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market and its supply chains. .	(7) Since any specific aspects of future crises that would impact the ~~*Single*~~***internal*** market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the ~~*Single*~~***internal*** market and its supply chains~~.~~ ***and for strengthening their resilience***.	(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a ~~general~~**contingency** framework **setting out the measures to be taken** for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market and its supply chains.~~.~~	(7) ~~*Since any specific aspects of future crises that would impact the Single*~~***In order to ensure that the framework of measures laid down by this Regulation can deploy their full effects in the context of the internal*** market ***vigilance and the internal market emergency modes, the Commission should be empowered to set out detailed arrangements regarding crisis preparedness, cooperation, exchange of information and crisis communication. This contingency framework*** ~~*and its supply chains are hard to predict, this Regulation*~~ should ~~*provide for a general*~~***set out the specific technical and operational aspects of the mechanisms of exchange of information between the Commission and the Member States. Furthermore, the contingency*** framework ***should lay down the arrangements for the operational coordination between the Commission and the Member States of the crisis communication. In this context, a dedicated*** G

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				inventory of the all the respective competent authorities of the Member States, involved in the implementation of the framework laid down by this Regulation should be set up ~~*for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause*~~ on the ~~*Single Market and its supply chains.*~~ ***basis of the information communicated by the Member States. This inventory should indicate in particular the respective competent authorities as well as their assigned roles and responsibilities during the vigilance and emergency modes in accordance with national law. The detailed arrangements between the Commission and the Member States should also cover the secure exchange of information concerning the consultation of the economic operators and social partners with respect to their respective initiatives and actions to mitigate and respond to the effects of a potential crisis***.
Recital 8				
18	(8) The framework of measures set out under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the	(8) The ~~*framework of*~~ measures set out ~~*under*~~***in*** this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due	(8) The framework of measures set out under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the	(8) The ~~*framework of*~~ measures set out ~~*under*~~***in*** this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due

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	need to maintain vital societal functions, meaning including public security, safety, public order, or public health respecting, the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order.	regard to the need to maintain vital societal functions, ~~*meaning*~~ including public security, safety, public order, or public health**,** respecting~~, *the*~~ ***the*** responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the state and maintaining law and order. ***This Regulation should therefore be without prejudice to matters related to national security and defence.***	need to maintain vital societal functions, ~~meaning~~ including public security, safety, public order, or public health**. This Regulation should not affect the competences of Member States for example with respect to national policies of public health and should be without prejudice to the** ~~respecting, the~~ responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order. **Furthermore, this Regulation does not affect Member States' own emergency stocks, and compulsory stockpiling subject to national strategic documents such as risk analyses, strategies, contingency or other national security related plans, including where these are set out in national legislation.**	regard to the need to maintain vital societal functions, ~~*meaning*~~ including public security, safety, public order, or public health***. This Regulation should not affect the competences of Member States for example with respect to national policies of public health and should be without prejudice to the*** ~~*respecting, the*~~ responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the state and maintaining law and order. ***This Regulation should therefore be without prejudice to matters related to national security and defence.***
Recital 9				
G 19	(9) To this end, this Regulation provides:	(9) To this end, this Regulation provides~~:~~ ***the necessary means to ensure the continued functioning of the internal market, the free circulation of goods, services and persons, including workers, and the availability of crisis-relevant goods and services to citizens, businesses***	(9) To this end, this Regulation provides:	(9) To this end, this Regulation provides: Text Origin: Commission Proposal G

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		and public authorities in times of crisis.		
Recital 9, first indent				
20	- the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and its strategic supply chains, including the free circulation of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities at the time of crisis;	*deleted*	- the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and its strategic supply chains, including the free ~~circulation~~**movement** of goods, services and persons**, including workers,** in times of crisis and the availability of ~~crisis relevant~~**crisis-relevant** goods and services to citizens, businesses and public authorities at the time of crisis;	- the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the ~~*Single*~~***internal*** market and its strategic supply chains, including the free ~~*circulation*~~***movement*** of goods, services and persons***, including workers,*** in times of crisis and the availability of ~~*crisis relevant*~~***crisis-relevant*** goods and services to citizens, businesses and public authorities at the time of crisis;
Recital 9, second indent				
21	- a forum for adequate coordination, cooperation and exchange of information; and	*deleted*	- a forum for adequate coordination, cooperation and exchange of information; and	- a forum for adequate coordination, cooperation and exchange of information; and Text Origin: Council Mandate
Recital 9, third indent				
22	- the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.	*deleted*	- the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.	- the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.

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				Text Origin: Council Mandate
Recital 10				
23	(10) Where possible, this Regulation should allow for anticipation of events and crises, building on on-going analysis concerning strategically important areas of the Single Market economy and the Union's continuous foresight work.	*deleted*	(10) Where possible, this Regulation should allow for anticipation of events and crises~~,~~ **by allowing the Union to continue** building on on-going analysis concerning strategically important areas of the Single Market economy ~~and the Union's continuous foresight work~~.	(10) Where possible, this Regulation should allow for anticipation of events and crises~~,~~ ***by allowing the Union to continue*** building on on-going analysis concerning strategically important areas of the ~~*Single*~~***internal*** market economy ~~*and the Union's continuous foresight work*~~.
Recital 10a				
23a			**(10a) By reinforcing the resilience and preparedness of the European industry with regards to critical raw materials, the [Critical Raw Materials act] complements this Regulation, which allows the Commission in Single Market vigilance or Single Market emergency mode to activate targeted measures when a threat to or a disruption of the supply of goods of critical importance emerges, which may include critical raw materials.**	***(10a) By reinforcing the resilience and preparedness of European industry with regards to critical raw materials, the Critical Raw Materials Act complements this Regulation, which allows the Commission in internal market vigilance or internal market emergency mode to activate targeted measures when a threat to or a disruption of the supply of goods of critical importance emerges, which may include critical raw materials.***
Recital 11				
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	(11) This Regulation should not duplicate the existing framework for medicinal products, medical devices or other medical counter-measures under the EU Health Security Framework, including Regulation (EU) …/… on serious cross-border health threats [SCBTH Regulation (COM/2020/727)], Council Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical counter-measures [Emergency Framework Regulation (COM/2021/577)], Regulation (EU) …/… on the extended mandate of the ECDC [ECDC Regulation (COM/2020/726)] and Regulation (EU) 2022/123 on the extended mandate of the EMA [EMA Regulation].Therefore, medicinal products, medical devices or other medical counter-measures, when they have been placed on the list referred to in Article 6(1) of the Emergency Framework Regulation, shall be excluded from the scope of this Regulation, except in relation to the provisions relating to free movement during the Single Market emergency, and in particular those designed to re-establish and facilitate free movement as well as the notification mechanism.	(11) This Regulation should not duplicate the existing framework for medicinal products, medical devices or other medical counter-measures under the EU Health Security Framework, including Regulation (EU) ~~.../... on serious cross-border health threats [SCBTH Regulation (COM/2020/727)], Council Regulation (EU) .../... on a framework of measures for ensuring the supply of crisis-relevant medical counter-measures [Emergency Framework Regulation (COM/2021/577)], Regulation (EU) .../... on the extended mandate of the ECDC [ECDC Regulation (COM/2020/726)]~~ ***2022/123*** and Regulation (EU) ~~*2022/123 on the extended mandate of the EMA [EMA Regulation]*~~ ***2022/2371***. Therefore, medicinal products, medical devices or other medical counter-measures, ~~*when they have been placed on the list referred to in Article 6(1) of the Emergency Framework Regulation,*~~ ***falling under their remit,*** shall be excluded from the scope of this Regulation, except in relation to the provisions relating to free movement during ~~*the Single*~~***an internal*** market emergency, and in particular those designed to re-establish and facilitate free movement as well as the notification mechanism.	(11) This Regulation should not duplicate the existing framework for medicinal products, medical devices or other medical counter-measures under the EU Health Security Framework, including Regulation (EU) …/… on serious cross-border health threats [SCBTH Regulation (COM/2020/727)], Council Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical counter-measures [Emergency Framework Regulation (COM/2021/577)], Regulation (EU) …/… on the extended mandate of the ECDC [ECDC Regulation (COM/2020/726)] and Regulation (EU) 2022/123 on the extended mandate of the EMA [EMA Regulation] **regarding crisis preparedness and response in the area of health**.~~Therefore~~ **This EU Health Security Framework will take precedence over the Single Market Emergency Instrument when the conditions of the specific framework are met.Therefore**, medicinal products, medical devices or other medical counter-measures, when they have been placed on the list referred to in Article 6(1) of the ~~Emergency Framework~~**EmergencyFramework** Regulation,~~ shall~~ **should** be excluded from the scope of this Regulation, except in relation to the	(11) This Regulation should not duplicate the existing framework for medicinal products, medical devices or other medical counter-measures under the EU Health Security Framework, including Regulation (EU) ~~.../...~~***2022/123*** on serious cross-border health threats [SCBTH Regulation~~ (COM/2020/727)~~], Council Regulation (EU) ~~.../...~~***2022/124*** on a framework of measures for ensuring the supply of crisis-relevant medical counter-measures [Emergency Framework Regulation~~ (COM/2021/577)~~], Regulation (EU) …/… on the extended mandate of the ECDC [ECDC Regulation (COM/2020/726)] and Regulation (EU) 2022/123 on the extended mandate of the EMA [EMA Regulation] ***regarding crisis preparedness and response in the area of health. This EU Health Security Framework should take precedence over this Regulation as regards the supply chain disruptions and shortages of medicinal products, medical devices or other medical counter-measures where the conditions of that framework are met.*** Therefore, medicinal products, medical devices or other medical counter-measures ***as defined by SCBTH Regulation, and the Emergency Framework Regulation***, when they have been

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			provisions relating to free movement **of goods, services and persons, including workers,** during the Single Market emergency, and in particular those designed to re-establish and facilitate free movement ~~as well as the notification mechanism~~.	~~placed on~~***included in*** the list ~~referred to in~~***of the*** Article ~~6(1)~~***7(1)*** of the Emergency Framework Regulation, ~~shall~~ ***should*** be excluded from the scope of this Regulation, except in relation to the provisions relating to free movement ***of goods, services and persons, including workers,*** during the ~~Single~~***internal*** market emergency, and in particular those designed to re-establish and facilitate free movement ~~as well as the notification mechanism~~.
Recital 11a				
24a				*deleted*
Recital 12				
25	*(12)* This Regulation should complement the Integrated Political Crisis Response mechanism operated by the Council under Council Implementing Decision (EU) 2018/1993 as regards its work on Single Market impacts of cross-sectoral crises that require political decision-making.	(12) This Regulation should complement the Integrated Political Crisis Response ~~mechanism~~***arrangements*** operated by the Council under Council Implementing Decision (EU) 2018/1993 as regards its work on ~~Single~~***internal*** market impacts of cross-sectoral crises that require political decision-making.	(12) This Regulation should ~~complement~~**be without prejudice to** the Integrated Political Crisis Response mechanism operated by the Council under Council Implementing Decision (EU) 2018/1993**. This Regulation should complement the Integrated Political Crisis Response mechanism operated by the Council under Council Decision 2014/415/EU of 24 June 2014** as regards its work on Single Market	(12) This Regulation should ~~complement the~~***be without prejudice to the*** Integrated Political Crisis Response ~~mechanism~~***arrangements*** operated by the Council under Council Implementing Decision (EU) 2018/1993***. This Regulation should complement the Integrated Political Crisis Response arrangements operated by the Council under Council Decision 2014/415/EU of 24 June 2014*** as regards its work on ~~Single~~***internal***

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			impacts of cross-sectoral ~~crises~~**crisis** that require ~~political decision-making~~**decision making with technical level expertise, contingency planning and implementation of vigilance and emergency measures**.	market impacts of cross-sectoral crises that require ~~*political decision-making*~~***decision-making in relation to contingency planning and implementation of vigilance and emergency measures***.
Recital 13				
G	26 (13) This Regulation should be without prejudice to the Union Civil Protection Mechanism ('UCPM'). This Regulation should be in complementarity with the UCPM and should support it, where neessary, as regards availability of critical goods and free movement of civil protection workers, including their equipment, for crises that fall into the remit of that mechanism.	(13) This Regulation should be without prejudice to the Union Civil Protection Mechanism ('UCPM'). This Regulation should be in complementarity with the UCPM and should support it, where ~~*neessary*~~***necessary***, as regards availability of critical goods and free movement of civil protection workers, including their equipment, for crises that fall into the remit of that mechanism.	(13) This Regulation should be without prejudice to the Union Civil Protection Mechanism ('UCPM'). This Regulation should ~~be in complementarity with~~**complement** the UCPM and should support it, where neessary, as regards availability of critical goods and free movement of civil protection workers, including their equipment, for crises that fall into the remit of that mechanism.	(13) This Regulation should be without prejudice to the Union Civil Protection Mechanism ('UCPM'). This Regulation should ~~*be in complementarity with*~~***complement*** the UCPM and should support it, where ~~*neessary*~~***necessary***, as regards availability of critical goods and free movement of civil protection workers, including their equipment, for crises that fall into the remit of that mechanism. G
Recital 14				
G	27 (14) This Regulation should be without prejudice to Articles 55 to 57 of Regulation (EC) No 178/2002 on the general plan on crisis management in the area of food and feed, implemented by Commission Decision (EU) 2019/300.	(14) This Regulation should be without prejudice to Articles 55 to 57 of Regulation (EC) No 178/2002 on the general plan on crisis management in the area of food and feed, implemented by Commission Decision (EU) 2019/300.	(14) This Regulation should be without prejudice to ~~Articles 55 to 57 of Regulation (EC) No 178/2002 on the general plan on crisis management in the area of food and feed, implemented by Commission Decision (EU) 2019/300~~**Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on**	(14) This Regulation should be without prejudice to ~~*Articles 55 to 57 of Regulation (EC) No 178/2002 on the general plan on crisis management in the area of food and feed, implemented by Commission Decision (EU) 2019/300*~~***Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on*** G

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			the rules governing the movement of persons across borders (the Schengen Borders Code) and its notification system for the temporary reintroduction of internal border controls.	***the rules governing the movement of persons across borders (the Schengen Borders Code), including its general framework for the temporary introduction or prolongation of internal border controls and the notification system for the temporary reintroduction of internal border controls***.
Recital 15				
G 28	(15) The Regulation should be without prejudice to the European Food Security Crisis preparedness and response Mechanism (EFSCM). Nevertheless, food products should be governed by the provisions of this Regulation, including those concerning the notification mechanism and concerning restrictions to free movement rights . The measures concerning food products notified under this Regulation may be also reviewed for their compliance with any other relevant provisions of EU law.	(15) The Regulation should be without prejudice to the European Food Security Crisis preparedness and response Mechanism (EFSCM). Nevertheless, food products should be governed by the provisions of this Regulation, including those concerning the notification mechanism and concerning restrictions to free movement rights . The measures concerning food products notified under this Regulation may be also reviewed for their compliance with any other relevant provisions of EU law.	(15) **This Regulation should be without prejudice to Articles 55 to 57 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, implemented by Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed. This** ~~The~~ Regulation should be without prejudice to the European Food Security Crisis preparedness and response Mechanism (EFSCM). Nevertheless, food products should be governed by the **free movement** provisions of this Regulation,	(15) ***This Regulation should be without prejudice to Articles 55 to 57 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, implemented by Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed. This*** ~~*The*~~ Regulation should be without prejudice to the European Food Security Crisis preparedness and response Mechanism (EFSCM). Nevertheless, food products should be governed by the ***free movement*** provisions of this Regulation, including those ~~*concerning the*~~ G

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			including those concerning ~~the notification mechanism and concerning~~ restrictions to free movement rights~~.~~ The measures concerning food products notified under this Regulation may be also reviewed for their compliance with any other relevant provisions of ~~EU~~**Union** law.	~~*notification mechanism and*~~ concerning restrictions to free movement rights ~~.~~The measures concerning food products ~~*notified under this Regulation*~~ may be also reviewed for their compliance with any other relevant provisions of ~~*EU*~~***Union*** law.
Recital 15a				
G	28a		**(15a) This Regulation is without predjudice to the Commission entering into consultations or cooperation, on behalf of the Union, with relevant authorities of third countries, in accordance with Union law, with particular attention paid to developing countries, with a view to seeking cooperative solutions to avoid supply chain disruptions, in compliance with international obligations. This may involve, where appropriate, coordination in relevant international fora.**	***(15a) This Regulation is without prejudice to the Commission entering into consultations or cooperation, on behalf of the Union, with relevant authorities of third countries, in accordance with Union law, with particular attention paid to developing countries, with a view to seeking cooperative solutions to avoid supply chain disruptions, in compliance with international obligations. This may involve, where appropriate, coordination in relevant international fora.***
Recital 15b				
G	28b		**(15b) One of the issues during the Covid 19 crisis was the lack of network for prepardness and information sharing between the Member States and the Member**	***(15b) One of the challenges identified during the Covid 19 crisis was the lack of network for preparedness and information sharing between the Member States***

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			States and the Commission. For the purposes of this Regulation and for the Union to be better prepared for the next crisis, as well as for the use when the Single Market vigiliance and Single Market emergency modes have been activated, there is a need to establish a Single Market Emergency Board (hereinafter the Board). This Board should be a forum for the Commission and the Member States to facilitate and coordinate the exchange of information and assist and advise as well as analyse and discuss relevant topics relating to the imminent or ongoing crisis.	***and also between the Member States and the Commission. Therefore, the achievement of the objectives pursued by this Regulation should be supported by a governance mechanism. At Union level, this Regulation should establish an Internal Market Emergency and Resilience Board, composed of representatives of the Member States and chaired by the Commission, to facilitate a smooth, effective and harmonised implementation of this Regulation, cooperation and the exchange of information. The Internal Market Emergency and Resilience Board should provide advice to and assist the Commission on specific questions, including the consistent implementation of this Regulation, facilitating cooperation among Member States as well as analyse and discuss relevant topics relating to the imminent or ongoing crisis.***
Recital 15c				
G 28c				***(15ba) The Commission should chair the Internal Market Emergency and Resilience Board and provide its secretariat. Each Member State should appoint a representative and an alternate representative. The Chair should invite a representative from the*** G

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				European Parliament as a permanent observer. To receive important advice on the activities of the Internal Market Emergency and Resilience Board and allow appropriate participation of experts with specific expertise, the Chair should be able to invite experts and observers to take part in the work of the Board and to attend specific meetings, on an ad-hoc basis, where such attendance is relevant considering the agenda of the meeting. With a view to ensure a coherent and coordinated Union response to various crises which may have an impact on the functioning of the internal market, the Chair may also invite representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the Internal Market Emergency and Resilience Board. With a view of promoting international cooperation, the Chair may invite representatives of international organisations and third countries to take part as observers in meetings of the Board in accordance with the relevant bilateral or international agreement. Observers may contribute to the discussions with relevant expertise, information and insights but they should not take part in the formulation of opinions, recommendations or advice of the

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				Internal Market Emergency and Resilience Board. ***(15bb) The Internal Market Emergency and Resilience Board should have specific tasks in the context of the contingency framework, the internal market vigilance mode and the internal market emergency mode. These include the exchange of views and providing advice to the Commission with respect to the assessment of the criteria which are to be taken into consideration when activating the different modes as well as with respect to the assessment whether the specific preconditions for the deployment of concrete response measures are met. The Commission should take the utmost account of opinions, recommendations or reports by the Internal Market Emergency and Resilience Board.*** ***(15bba) In the interest of guaranteeing the confidentiality of the received information under this Regulation, the Internal Market Emergency and Resilience Board should provide in its Rules of Procedures that its members and observers should not disclose trade and business secrets and other sensitive and confidential information acquired or generated in application of this Regulation***

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				and respect equivalent professional secrecy obligations as Commission staff members. ***(15bc) In order to guarantee greater transparency, coordination and accountability, particularly in times of crises, the European Parliament should be able to invite the Chair of the Internal Market Emergency and Resilience Board to appear in front of its competent Committee. The Commission should take into account elements arising from the views expressed through the Emergency and Resilience dialogue with respect of this Regulation, including the relevant resolutions of the European Parliament. The European Parliament should be informed of any Council implementing act proposed or adopted as soon as possible.***
Recital 15d				
G 28d			**(15c) Member States should also appoint a Central Liasion Office that should work as a focal point in communication with other Member States and the Commission as regards contacts for relevant authorities in the Member States, compiling information from those**	***(15d) Member States should also appoint a Central Liaison Office that should work as a focal point in communication with other Member States and the Commission as regards contacts for relevant authorities in the Member States, compiling information from those authorities, and should also be*** G

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			authorities, and should also be responsible for coordination and information exchange. The Central Liasion Office to be appointed can be an already existing authority in the Member State.	***responsible for coordination and information exchange. The Central Liaison Office to be appointed can be an already existing authority in the Member State.***
Recital 15e				
G	28e			***(15e) This Regulation is without prejudice to the possibility of the Commission to assess whether it is appropriate to impose restrictions to exports of goods in line with the international rights and obligations of the Union under Regulation (EU) 2015/479 of the European Parliament and of the Council[1];*** ***1. OJ L 83, 27.3.2015, p. 34.***
Recital 15f				
G	28f			***(15f) This Regulation is without prejudice to measures taken pursuant to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and***

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				(EC) No 1234/2007;
Recital 15g				
28g				***(15g) This Regulation applies without prejudice to and is complementary with Directive (EU) 2022/2557 on the resilience of critical entities, which lays down harmonised minimum rules to ensure that services essential for the maintenance of vital societal functions or economic activities are provided in an unobstructed manner in the internal market, to enhance the resilience of critical entities providing such services, and to improve cross-border cooperation between competent authorities.***
Recital 15h				
28h			**(15d) An information exchange relating to ad hoc alerts should be possible through the network created between the Central Liaison Offices and the Union Central Liaison Offices. These ad hoc alerts should be notified to the Commission in cases of significant incidents in order to allow the Union to better follow the development of the potential, imminent crisis or crisis as such**	***(15h) An information exchange relating to ad hoc alerts should be possible through the network created between the Central Liaison Offices and the Union Central Liaison Offices. These ad hoc alerts should be notified to the Commission in cases of significant incidents in order to allow the Union to better follow the development of the potential, imminent crisis or crisis as such***

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			thus being able to have better preparedness should the crisis emerge or develop. The significant incidents in the context of this Regulation means incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the Single Market and its supply chains.	***thus being able to have better preparedness should the crisis emerge or develop.***
Recital 15i				
G 28i				***(15i) With the objective to be better prepared for and more resilient during potential future crises which may cause severe negative impacts on the free movement of goods, services and persons, including workers or cause disruptions to the supply chains of goods and services in the internal market, the Commission should encourage and facilitate the drawing up of voluntary crisis protocols by economic operators. Economic operators remain free to decide whether to take part in such voluntary crisis protocols. The participation in such voluntary crisis protocols should not give rise to disproportionate administrative burden. The voluntary crisis protocols should set out the specific parameters of the disruptions that are considered, as well as a distribution of the specific roles of*** G

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				each participant, a description of the mechanisms of activation of such protocols and the associated actions. Relevant stakeholders, including Member States' authorities, Union bodies, offices and agencies and civil society organisations may also be involved in the drawing up of such voluntary crisis protocols. ***In determining the parameters of the disruptions to be considered, economic operators should be able to build on their past experiences with free movement and supply chain disruptions caused by various crises.*** ***(15j) With the view of drawing from the experiences of past crises, the Commission should develop and manage training programmes and materials for public and private stakeholders, including economic operators. Participation in such training programmes and simulations should remain voluntary.*** ***(15k) As part of crisis preparedness, this Regulation should allow for anticipation of events and crises for which stress tests and simulations would be carried out, building on ongoing analysis concerning critically important areas of the internal market economy and the***

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				Union's continuous foresight work. In particular, the Commission should develop scenarios and parameters in specific areas that capture the particular risks associated with a crisis. In order to ensure the crisis-preparedness of all actors, it is necessary to set out rules on stress tests to be conducted at least every two years, and on trainings and crisis protocols involving not only relevant national authorities, but also stakeholders such as businesses, social partners and experts. In this context, the Commission should facilitate and encourage the development of strategies for emergency preparedness, including strategies for crisis communication and exchanging information about applicable restrictions in challenging circumstances. The identification of the specific focus areas should be based on existing indicator-based tools which monitor the evolution of supply chains in the EU with a view of identifying potential distress, taking into account relevant specific criteria such as the trade flows, demand and supply, concentration of supply, Union and global production and production capacities at different stages of the value chain and the interdependencies between

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				economic operators.
Recital 16				
29	(16) In order to account for the exceptional nature of and potential far-reaching consequences for the fundamental operation of the Singe Market of a Single Market emergency, implementing powers should exceptionally be conferred on the Council for the activation of Single Market emergency mode pursuant to Article 281(2) of the Treaty on the Functioning of the European Union.	(16) ~~*In order to account for the exceptional nature of and potential far-reaching consequences for the fundamental operation of the Singe Market of a Single Market emergency, implementing powers should exceptionally be conferred on the Council for the activation of Single Market emergency mode pursuant to Article 281(2) of the Treaty on the Functioning*~~***This Regulation should be without prejudice to labour law or working conditions, including health and safety at work, and to collective bargaining rights and the autonomy*** of the ~~*European Union*~~***social partners***.	(16) In order to account for the exceptional nature of and potential far-reaching consequences for the fundamental operation of the Singe Market of a Single Market **vigilance or of a Single Market** emergency **and for the sensitive political consequences which it triggers**, implementing powers should exceptionally be conferred on the Council for the activation of **the** Single Market **vigilance or** emergency mode pursuant to Article ~~281(2)~~**291(2)** of the Treaty on the Functioning of the European Union **(TFEU)**. **The Council implementing act for the activation of the Single Market vigilance mode should contain elements which are intrinsically linked to it, namely an assessment of the potential impact of the crisis on the free movement of goods, services and persons including workers in the Single Market and on its supply chains, a list of the goods and services of critical importance which are indispensable in the maintenance of vital societal or economic activities in the Single Market and the vigilance measures to be taken.**	(16) In order to account for the exceptional nature of and potential far-reaching consequences for the ~~*fundamental*~~ operation of the ~~*Singe*~~***internal*** market of ~~*a Single*~~***internal market vigilance or of an internal*** market emergency, implementing powers should exceptionally be conferred on the Council for the activation of ~~*Single*~~***the internal*** market ***vigilance or*** emergency mode pursuant to Article ~~*281(2)*~~***291(2)*** of the Treaty on the Functioning of the European Union ***(TFEU)***. ***The Council implementing act for the activation of the internal market vigilance mode should contain elements which are intrinsically linked to the assessment of the fulfilment of the preconditions justifying the activation, namely an assessment of the potential impact of the crisis on the free movement of goods, services and persons including workers in the internal market and on its supply chains, a list of the goods and services of critical importance which are indispensable in the maintenance of vital societal or economic activities in the internal market and the vigilance***

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			Furthermore, where the activation of the Single Market emergency mode also requires the adoption of a list of crisis-relevant goods and services, such a list should be adopted at the same time as the activation and is necessary for the assessment of the criteria for the activation of this mode. It is therefore intrinsincally linked to the activation. For this reason, implementing powers should also be conferred on the Council for the adoption of the list of crisis-relevant goods and services and its update. It should be possible to extend the Single Market vigilance or emergency mode through a Council implementing act on a proposal from the Commission. Should it transpire that there is no need for either of the modes to be active, then the respective mode should be deactivated.	***measures to be taken. Furthermore, where the activation of the internal market emergency mode also requires the adoption of a list of crisis-relevant goods and services, such a list should be adopted at the same time as the activation and can therefore be intrinsically linked to the activation. For this reason, implementing powers should also be conferred on the Council for the adoption of the list of crisis-relevant goods and services and its update. It should be possible to extend the internal market vigilance or emergency mode through a Council implementing act on a proposal from the Commission. Should it transpire that there is no need for either of the modes to be active, then the respective mode should be deactivated.***
Recital 16a				
G	29a		**(16a) In order to prepare for a Single Market Emergency, information sharing between Member States is vital. When the Single Market vigilance mode has been activated, the Member States should, where necessary, share information between themselves and the Commission in the Board**	*deleted*

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			or with the Commission as a coordinator of the Board on goods of critical importance, as listed in the implementing act, that are under their control. This information may include the current stock of these goods in their territory, any potential for further purchase, any options for alternative supply or other available information that could ensure the availability of such goods.	
Recital 17				
G	*30*	*(17)* Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC. This Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. These grounds are public policy, public security or public health. In this context, restrictions to freedom of movement can be justified if they are proportionate and non-discriminatory. This Regulation is not intended to provide	(17) ~~*Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC. This Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. These grounds are public policy, public security or public health. In this context, restrictions to freedom of movement can be justified if they are proportionate and non-discriminatory. This*~~***Where the activities to be carried out***	*deleted*	*deleted*

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	for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC.	***pursuant to this Regulation involve the processing of personal data, such processing should comply with the relevant Union legislation on personal data protection, namely Regulation (EU) 2016/679 of the European Parliament and of the Council[1a] and*** Regulation ~~*is not intended to provide for additional grounds for the limitation*~~***(EU) 2018/1725*** of the ~~*right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC*~~***European Parliament and of the Council[1b]***. ***1a. Regulation (EU) 2016/769 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).*** ***1b. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).***		
Recital 18				
31	*(18)* As regards the measures for re-establishing and facilitating free movement of persons and any other	(18) ~~*As regards the measures for re-establishing and facilitating free movement of*~~***This Regulation lays***	*deleted*	*deleted*

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	measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC without affecting its application at the time of Single Market emergencies. Such measures should not result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.	***down rights and obligations for economic operators, in particular natural or legal*** persons***, including any temporary association of undertakings, which offer products or services of critical importance on the market. Furthermore, it defines critically important areas which are of systemic and vital importance for the functioning of the internal*** ~~*and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC without affecting its application at the time of Single*~~ market***, in particular areas related to the cross-border free movement of goods, services or persons, for example in the areas of food, transport, maintenance, health, or information technologies*** ~~*emergencies. Such measures should not result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law*~~.		
Recital 19				
G *32*	*(19)* Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation	(19) ~~*Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the*~~ ***In order to ensure the smooth functioning of the internal***	*deleted*	*deleted* G

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	contains provisions which complement the existing measures in order to reinforce free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.	***market, this Regulation should set up an Internal Market Emergency and Resilience Board ('the Board') to advise the Commission on the appropriate*** measures ~~*adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to reinforce free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their*~~***for anticipating, preventing or responding to the impact of a crisis. The European Parliament should be able to appoint an expert as a member of the Board. The Commission should invite representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the Board, including, where appropriate, representatives of Committee of the Regions and of the European Economic and Social Committee. The Commission should ensure that the European Parliament receives all documents at the same time as Member States' representatives. The European Parliament should also systematically have access to the meetings of the Board to which Member States' experts are invited.***		

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		The participation of representatives ***of EFTA States as observers should be ensured in accordance with the Agreement on the European Economic Area, as well as with the bilateral agreements between the*** ~~*in the Member States and at*~~ Union ~~*level during the Single Market vigilance and emergency modes under this regulation*~~***and the Swiss Confederation. The Board should in particular assist and advise the Commission regarding measures that have an impact on the free movement of goods, services and persons, including workers, with a special focus on mobile workers, including frontier and cross-border workers***.	PUBLIC	
Recital 20				
G *33*	*(20)* If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions.	(20) ~~*If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions*~~***It is***	(20) ~~If Member States adopt measures affecting~~**For national measures which are not harmonised under this Regulation and affect the** free movement of goods or persons, ~~goods~~ or the freedom to provide services in preparation for and during Single Market emergencies, ~~they~~**Member States** should ~~limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures~~**ensure that they fully comply with the Treaty and**	(20) ~~*If Member States adopt measures affecting*~~***For national measures which are not harmonised under this Regulation and which affect when adopted and applied in response to an internal market emergency the*** free movement of goods or persons, ~~*goods*~~ or the freedom to provide services ~~*in preparation for and*~~ during ~~*Single*~~***internal*** market emergencies, ~~*they*~~***Member States*** should ~~*limit such measures to what is necessary and remove them as*~~ G

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		essential to guarantee greater transparency and accountability, particularly in times of crises, in line with the values on which the Union is based. The European Parliament plays a key role in ensuring democratic accountability. This Regulation should therefore lay down rules to enhance the emergency and resilience dialogue between the Commission, the European Parliament and the Council.	**other provisions of Union law. If Member States adopt such restrictions, they** should respect the principles of proportionality and non-discrimination**. They** ~~and~~ should ~~take into consideration the~~**therefore limit such measures to what is necessary. In** particular**, Member States should remove such measures as soon as they are no longer necessary. Furthermore, in line with these principles, such measures should not create an unnecessary administrative burden** ~~situation of border regions~~.	~~*soon as the situation allows it*~~***ensure that they fully comply with the Treaty and other provisions of Union law such as Directive 2004/38/EC, Regulation No 492/2011, Directive 2006/123/EC, Directive 2005/36/EC and Directive 2015/1535***. ***If Member States adopt such restrictions, they*** ~~*Such measures*~~ should ***be justified and*** respect the principles of proportionality and non-discrimination ***in accordance with Union law.*** ***Furthermore, in line with these principles, such measures should not create an unnecessary administrative burden and Member States*** ~~*and*~~ should take ***all possible measures to limit any administrative burden of measures taken to respond to internal market emergency.*** ***In addition, any such measures should take adequately into account the*** ~~*into consideration the particular*~~ situation of ~~*border*~~***cross-border*** regions ***and outermost regions, especially for cross-border workers.*** ***Member States should remove measures taken to respond to internal market emergency that restrict free movement as soon as***

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				they are no longer necessary. ***In general, national measures restricting free movement, which are not harmonised under this Regulation would be in principle no longer justified or proportionate when the internal market emergency mode is deactivated and should be therefore removed.***
Recital 20a				
G 33a			**(20a) Nothing in this Regulation should be construed as authorising or justifying restrictions to the free movement of goods, services and persons contrary to the Treaty or other provisions of Union law. For example, the fact that some types of restrictions are prohibited during a Single Market emergency should not be construed as justifying such restrictions outside a Single Market emergency.**	***(20a) This Regulation should not be construed as authorising or justifying restrictions to the free movement of goods, services and persons contrary to the Treaty or other provisions of Union law. For example, the fact that some restrictions are explicitly prohibited during an internal market emergency mode should not be construed as justifying such restrictions outside this mode or as justifying other possible restrictions incompatible with EU law that are not explicitly prohibited by this Regulation.*** G
Recital 20b				
G 33b			**(20b) Article 21 TFEU lays down the right of EU citizens to move and reside freely within the**	***(20b) Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of*** G

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			territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC[1]. That Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. These grounds are public policy, public security or public health. In this context, restrictions to the freedom of movement can be justified if they are proportionate and non-discriminatory. This Regulation is not intended to provide for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC. **1. Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).**	***the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC[1]. That Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. These grounds are public policy, public security or public health. In this context, restrictions to the freedom of movement can be justified if they are proportionate and non-discriminatory. This Regulation is not intended to provide for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC.*** ***1. Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).*** Text Origin: Council Mandate
Recital 20c				

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G	33c		**(20c) As regards the measures for re-establishing and facilitating free movement of persons and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC at the time of Single Market emergencies. Such measures should not result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.**	***(20c) As regards the measures for facilitating free movement of persons and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC at the time of internal market emergencies. Such measures should not result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.***
	Recital 20d			
G	33d		**(20d) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. Article 46 TFEU is the legal basis for the adoption of measures required to bring about freedom of movement for workers as defined in Article 45 TFEU. This Regulation contains provisions which complement the existing measures in order to reinforce free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such**	***(20d) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. Article 46 TFEU is the legal basis for the adoption of measures required to bring about freedom of movement for workers as defined in Article 45 TFEU. This Regulation contains provisions which complement the existing measures in order to reinforce free movement of persons, increase transparency and provide administrative assistance during internal market emergencies. Such measures include setting up and***

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			measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this Regulation.	***making available of the single points of contact to workers and their representatives in the Member States and at Union level during the internal market vigilance and emergency modes under this Regulation.***
Recital 20e				
G	33e		**(20e) It is appropriate to prohibit certain national measures which restrict the free movement of goods or persons, or the freedom to provide services and which should not be imposed during, and in response to, a Single Market emergency, since they are manifestly disproportionate. Therefore, any measures taken by Member States relating thereto should be assessed in the light of those harmonising provisions and not the Treaty or other provisions of Union law.**	***(20e) It is appropriate to prohibit certain national measures which restrict free movement or the freedom to provide services and which should not be imposed during, and in response to, a internal market emergency, since they are manifestly disproportionate. Therefore, any measures taken by Member States relating thereto should be assessed in the light of those harmonising provisions and not the Treaty or other provisions of Union law.***
Recital 20f				
G	33f			***(20f) In particular, Member States should refrain from introducing measures that constitute a discrimination based on nationality or, in the case of companies, location of their registered office,***

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				central administration or principal place of business.
Recital 20g				
G 33g				***(20g) Member States should refrain from taking measures that make it impossible for beneficiaries of the right to free movement to return to their Member State of residence should they find themselves in another Member State at the outbreak of a crisis.***
Recital 20h				
G 33h				***(20h) Member States should refrain from taking measures that make it impossible for beneficiaries of the right to free movement to travel to other Member States for imperative family reasons if such travel remains permitted within the Member State adopting the measure despite the circumstances being the same.***
Recital 20i				
G 33i			**(20f) This Regulation should not prevent the Member States from letting their nationals and residents return to their territory during Single Market**	***(20i) This Regulation should not prevent the Member States from letting their nationals and residents return to their territory during internal market emergencies. To***

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			emergencies. To facilitate such travel, other Member States should allow such nationals and residents to exit their territory to travel to the Member State of nationality or residence, or to transit through its territory in order to reach the Member State of nationality or residence.	***facilitate such travel, other Member States should allow such nationals and residents to exit their territory to travel to the Member State of nationality or residence, or to transit through its territory in order to reach the Member State of nationality or residence.*** Text Origin: Council Mandate
Recital 20j				
G	33j			***(20j) Restrictions to free movement, including in the form of administrative requirements and procedures such as declaration, registration or authorisation procedures, are prohibited, unless they comply with Union law. When justified and proportionate administrative requirements and procedures have been adopted in line with Union law, Member States should, during an internal market emergency, prioritise facilitating compliance with such requirements and processing such procedures for persons involved in the production or supply of crisis-relevant goods or services and the Commission should, to that end and when to do so is necessary to facilitate the free movement of such providers or certain categories thereof, put in place arrangements, including*** G

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				digital arrangements and templates.
Recital 21				
G 34	(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify crisis-relevant free movement restrictions.	(21) ~~*The activation of the Single Market*~~***To ensure effective coordination and information exchange in cases of*** emergency***, this Regulation lays down*** ~~*mode should trigger*~~ an obligation for ~~*the*~~ Member States to ~~*notify crisis-relevant free movement restrictions*~~***designate central liaison offices, responsible for contact with the Union level central liaison office designated by the Commission and with the central liaison offices of other Member States***.	*deleted*	(21) ***To ensure effective coordination and information exchange in the context of the contingency framework, as well as in the context*** ~~*The activation*~~ of the ~~*Single*~~***internal*** market ***vigilance and*** emergency ~~*mode should trigger*~~***modes, this Regulation lays down*** an obligation for ***Member States to designate central liaison offices, responsible for contact with the Union level central liaison office designated by the Commission and with the central liaison offices of other*** ~~*the*~~ Member States***. Each central liaison office should compile the inputs from relevant competent authorities of its Member State, including, where relevant, at regional and local level. Such liaison offices should also transmit all*** ~~*to notify*~~ crisis-relevant ~~*free movement restrictions*~~***information to the single points of contact in the Member States in real time where possible***.
Recital 21a				
G 34a				***(21a) This Regulation lays down obligations with a view to ensuring***

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				transparency in relation to national measures adopted during an internal market emergency mode that restrict the right to free movement of persons. Any such restrictions must comply with Union law, notably Directive 2004/38/EC. Those obligations should be without prejudice to any existing information or notification obligations that continue to apply in full.
				Free movement of persons is of paramount importance for the proper functioning of the internal market. Experience from the COVID-19 crisis shows that restrictions to that right can have spill-over effects for all other fundamental freedoms. Lack of information on crisis-related restrictions to free movement of persons can cause Union citizens and economic operators additional difficulties in managing their activities during a crisis. Currently, there is no applicable transparency system in force that could provide Union citizens and economic operators with information on free movement of persons restrictions.
				Member States should communicate to the Commission and other Member States the full text of the national legislative or

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				regulatory provisions introducing restrictions on the exercise of the right to free movement of persons in response to the crisis, as well as the modifications thereof, without delay after their adoption. This should be accompanied by the reasons for such measures, including reasons demonstrating that the measure is justified and proportionate, as well as any underlying scientific or other data supporting their adoption, the scope of such measures, and the date of adoption and date of application and duration of those measures. ***To make sure that Union citizens and economic operators can obtain reliable information regarding restrictions to free movement, Member States should provide the public with clear, comprehensive and timely information explaining such measures, notably their scope, entry into application and duration, as soon as possible. This information should also be provided to the Commission. On this basis, the Commission should publish relevant information on a dedicated website available in all official languages of the Union.***
Recital 22				
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	(22) When examining the compatibility of any notified draft or adopted measures with the principle of proportionality, the Commission should pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the Commission may consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement of persons restrictions. It is the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market. The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.	(22) ~~*When examining the compatibility of any notified draft or adopted measures with the principle of proportionality, the Commission should pay due regard to the evolving crisis situation and often limited information that is at the disposal*~~***Resilience is key to ensuring that the internal market delivers on one of its ultimate goal of supporting the Union's economy. This Regulation should allow for anticipation of events and crises, building on ongoing analysis concerning critically important areas*** of the ~~*Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the Commission may consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement of persons restrictions*~~***internal market economy and the Union's continuous foresight work. In order to ensure the crisis-preparedness of all actors, it is necessary to set out rules on stress tests to be conducted at least every two years, and on trainings and crisis protocols involving not only relevant national authorities, but also stakeholders such as***	*deleted*	*deleted*

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		businesses, social partners and experts. It is ~~*the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market. The Commission should react to the notifications of*~~ ***also essential to lay down rules on strategic reserves of goods of critical importance, in order to ensure a proper exchange of information and provide support to*** Member States ~~*as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation*~~***in order to assist them in coordinating and streamlining their efforts***.		
Recital 23				
G *36*	*(23)* In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation and the crisis-relevant goods or services that such measures	(23) In order to ~~*ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation*~~***determine critical sectors, a methodology should be***	(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require ~~individual~~ activation by means of Commission implementing acts, which indicate the reasons for such activation and the crisis-relevant goods or services that such measures	(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require ~~*individual*~~ activation by means of Commission implementing acts, which indicate the reasons for such activation and the crisis-relevant goods or services that such measures G

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	apply to.	***established taking into account specific criteria, namely the trade flows, demand and supply, concentration of supply, Union and global production and production capacities at different stages of the value chain*** and the ~~*crisis-relevant goods or services that such measures apply to*~~***interdependencies between economic operators***.	apply to.	apply to.
Recital 24				
37	(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.	(24) ~~*Furthermore,*~~ ***It is important to identify and monitor the supply chains of goods, services of critical importance during the vigilance mode, as well as the free movement of categories of workers of critical importance, preceding an internal market emergency.*** In order to ~~*ensure the proportionality*~~***account for the activation*** of the ~~*implementing acts and due respect*~~***vigilance mode and the potential consequences*** for the ~~*role of economic operators in crisis management*~~***proper functioning of the internal market that it triggers***, ***implementing powers should be conferred on*** the Commission ~~*should only resort to the activation*~~***for the activation of that mode pursuant to Article 291(2) of the Treaty on the Functioning*** of the ~~*Single Market emergency mode,*~~	(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the **dual** activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.	(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the ***dual*** activation of the ~~*Single*~~***internal*** market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis. Text Origin: Council Mandate

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		~~*where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis*~~***European Union. The vigilance mode should be activated for a maximum duration of six months with the possibility of an extension of the same duration, taking into due consideration the opinion provided by the Board. The Commission should present a report to the European Parliament and the Council of its findings concerning the monitoring, carried out during the vigilance mode, of the supply chains of goods, services of critical importance, the free movement of categories of workers of critical importance and the inventory of the most relevant economic operators***.		
Recital 24a				
G 37a				***(24a) To ensure that the Board receives appropriate information about potential internal market emergency, it is necessary to provide for monitoring. Such monitoring concerns supply chains or goods and services of critical importance for which the vigilance mode has been activated and the free movement of persons who are*** G

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				involved in the production and supply of such goods and services. Monitoring of the supply chains of goods and services of critical importance should be carried out by the competent authorities of the Member States on the basis of voluntary requests for information about factors impacting the availability of the selected goods and services of critical importance such as production capacity, availability of the necessary workforce, stocks, suppliers limitations, possibilities for diversification and substitution, demand conditions, bottlenecks. The voluntary request for information should be addressed to all actors along the relevant supply chain of goods and services of strategic importance and other relevant stakeholders established in Member States national territory. Collecting information about free movement disruptions from the economic operators along the supply chains of goods and services of critical importance is particularly important because the lack of appropriate workforce is one of the prevailing causes of supply chain disruptions. The monitoring by Member State authorities of disruptions to the free movement of persons involved in the production and supply of goods

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				and services should be understood broadly, covering workers, service providers, business representatives and other persons involved in the research, development and placing products on the market. Competent authorities of the Member States should provide the gathered information to the Commission and the Board via the central liaison offices. This information should enable the Board to advise the Commission on the necessity of activation of the internal market emergency mode.
Recital 24b				
G	37b			***(24b) To enable precise assessments whether the deployment of specific internal market emergency response measures would allow to reduce the severe shortages of crisis-relevant goods or services the threat thereof in an internal market emergency, the Commission should be able to request information from economic operators in supply chains of crisis-relevant goods and services. Such information requests should, where appropriate, concern production capacities and stocks of crisis-relevant goods in production facilities located both in the Union and in the third countries where*** G

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				those economic operators operate, with which they contract or from which they purchase supplies; the schedule or an estimation of the expected production output for the following three months for each production facility located in the Union as well as production facilities which are located in third countries where those economic operators operate or have purchase contracts with as well as information about any relevant supply chain disruptions or shortages. To ensure full involvement of the Member State where the undertaking has its production site, the Commission should forward, without delay, a copy of the information request to that Member State and, if the competent authority of the Member State so requests, the Commission should share the acquired information with that Member State through secure means.
Recital 25				
38	(25) Information requests to economic operators should be used by the Commission only where the information which is necessary for responding adequately to the Single Market emergency, such as information necessary for	(25) ~~*Information requests to economic operators*~~***The Commission*** should ~~*be used by the Commission only where the information which is necessary for responding adequately*~~***carefully assess the severity of disruptions*** to	(25) Information requests to economic operators should be used by the Commission only where the information which is necessary for responding adequately to the Single Market emergency, such as information necessary for	(25) Information requests to economic operators should be used by the Commission only where the information which is necessary for responding adequately to the ~~*Single*~~***internal*** market emergency, such as information necessary for

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	procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily.	the ~~*Single Market emergency, such as information necessary for procurement by the Commission on behalf*~~***functioning*** of the ~~*Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily*~~***internal market and the impact of a crisis on the basis of concrete and reliable evidence, and duly taking into account the criteria laid down in this Regulation***.	procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, **is not yet available to the Commission and** cannot be obtained from publicly available sources or as a result of information provided voluntarily. **When activating a mandatory information request, the Commission should ensure that the benefit for the public interest outweighs the possible inconveniences that the concerned economic operators may sustain. The Commission should take into consideration the burden that a mandatory information request may represent in particular for small and medium-sized enterprises (SMEs) and should modulate the timelines for reply accordingly. When the processing of a mandatory information request by an economic operator has the potential to significantly disrupt its operations, the said economic operator may refuse to supply the requested information. The economic operator should provide to the Commission the reasons for any refusal to supply requested information. Such reasons may concern, in particular, the risk of liability for**	procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, ***is not yet available to the Commission and*** cannot be obtained from publicly available sources or as a result of information provided voluntarily. ***When activating an information request by means of an implementing act, the Commission should ensure that the benefit for the public interest outweighs the possible inconveniences that the concerned economic operators may sustain. The Commission should take into consideration the burden that such an information request may represent in particular for small and medium-sized enterprises (SMEs) and should modulate the timelines for reply accordingly. When the processing of an information request by an economic operator has the potential to significantly disrupt its operations, the said economic operator should be allowed to refuse to supply the requested information. The economic operator should be obliged to provide to the Commission the reasons for any refusal to supply requested information. Such reasons should include, in particular, the risk of***

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			breach of contractual non-disclosure obligations based on contracts governed by the law of a third country or the risk of disclosing information related to national security in the case of goods with possible uses in the context of national security, which could include national reserves.	***liability for breach of contractual non-disclosure obligations based on contracts governed by the law of a third country or the risk of disclosing information related to national security in the case of goods with possible uses in the context of national security, which could include national reserves.***
Recital 25a				
G	38a			***(25a) The maximum time limit for an economic operator to reply to an information request should be 20 working days. The specific individual time limit should be set on a case-by-case basis and could be shorter. The economic operator should be allowed to request a one-time extension which could, subject to the explicit agreement by the Commission, extend the overall time limit beyond 20 days. It should be provided that any request for an extension of the time limit by the economic operator should be submitted to the Commission in accordance with the communication arrangements specified within the individual decision. It should also be provided that until the Commission has responded to the request for extension, the initial time limit should be regarded as fully***

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				applicable.
Recital 26				
39	(26) The activation of the Single Market emergency mode, where needed, should also trigger the application of certain crisis-response procedures which introduce adjustments to the rules governing the design, manufacture, conformity assessment and the placing on the market of goods subject to Union harmonised rules. These crisis-response procedures should enable products, designated as crisis-relevant goods to be placed swiftly on the market in an emergency context. The conformity assessment bodies should prioritise the conformity assessment of crisis-relevant goods over any other ongoing applications for other products. On the other hand, in cases, where there are undue delays in the conformity assessment procedures, the national competent authorities should be able to issue authorisations for products, which have not undergone the applicable conformity assessment procedures to be placed on their respective market, provided that they comply with the applicable safety requirements. Such authorisations shall be only valid on the territory of the issuing Member	(26) ~~*The activation of the Single Market emergency mode, where needed, should also trigger the application of certain crisis-response procedures which introduce adjustments to the rules governing the design, manufacture, conformity assessment and the placing on the market*~~***In order to account for the exceptional nature of and potential far-reaching consequences of the activation of the internal market emergency mode, which could negatively affect the free movement*** of goods***, services and persons, and in order to ensure appropriate public scrutiny, the internal market*** ~~*subject to Union harmonised rules. These crisis-response procedures should enable products, designated as crisis-relevant goods to be placed swiftly on the market in an*~~ emergency ~~*context. The conformity assessment bodies*~~***mode*** should ~~*prioritise the conformity assessment of crisis-relevant goods over any other ongoing applications for other products. On the other hand, in cases, where there are undue delays*~~***only be activated by a legislative act*** in the ~~*conformity*~~	(26) **[**The activation of the Single Market emergency mode, where needed, should also trigger the application of certain crisis-response procedures which introduce adjustments to the rules governing the design, manufacture, conformity assessment and the placing on the market of goods subject to Union harmonised rules. These crisis-response procedures should enable products, designated as crisis-relevant goods to be placed swiftly on the market in an emergency context. The conformity assessment bodies should prioritise the conformity assessment of crisis-relevant goods over any other ongoing applications for other products. On the other hand, in cases, where there are undue delays in the conformity assessment procedures, the ~~national~~ competent authorities **in the Member States** should be able to issue authorisations for products, which have not undergone the applicable conformity assessment procedures to be placed on their respective market, provided that they comply with the applicable safety requirements. Such authorisations ~~shall~~**should** be only	(26) The activation of the ~~*Single*~~***internal*** market emergency mode, where needed, should also ~~*trigger*~~***enable the triggering of*** the application of certain crisis-response procedures which introduce adjustments to the rules governing the design, manufacture, conformity assessment and the placing on the market of goods subject to Union harmonised rules ***as well as to certain rules governing the goods subject to the EU general product safety framework***. These crisis-response procedures should enable products, designated as crisis-relevant goods to be placed swiftly on the market in an emergency context. ***In the case of harmonised products,*** the conformity assessment bodies should prioritise the conformity assessment of crisis-relevant goods over any other ongoing applications for other products. ~~*On the other hand, in cases,*~~ Where there are undue delays in the conformity assessment procedures ***of crisis-relevant goods***, the ~~*national*~~ competent authorities ***in the Member States*** should be able to issue authorisations for ~~*products,*~~***such goods*** which have not

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	State and limited to the duration of the Single Market emergency. In addition, in order to facilitate the increase in supply of crisis-relevant products, certain flexibilities should be introduced with respect to the mechanism of presumption of conformity. In the context of a Single Market emergency, the manufacturers of crisis-relevant goods should be able to rely also on national and international standards, which provide an equivalent level of protection to the harmonised European standards. In cases where the later do not exist or the compliance with them is rendered excessively difficult by the disruptions to the Single Market, the Commission should be able to issue common technical specifications of voluntary or of mandatory application in order to provide ready-to-use technical solutions to the manufacturers.	~~assessment procedures, the national competent authorities should be able to issue authorisations for products, which have not undergone the applicable conformity assessment procedures to be placed on their respective market, provided that they comply with the applicable safety requirements. Such authorisations shall be only valid on the territory of the issuing Member State and limited to the duration of the Single Market emergency. In addition, in order to facilitate the increase in supply of crisis-relevant products, certain flexibilities should be introduced with respect to the mechanism of presumption of conformity. In the context of a Single~~***form of a decision on a proposal made by the Commission and promptly adopted jointly by the European Parliament and the Council. To address the need for quick decision-making in times of crisis, decisions to activate the internal*** market emergency~~, the manufacturers of crisis-relevant goods should be able to rely also on national and international standards, which provide an equivalent level of protection to the harmonised European standards. In cases where the later do not exist or the compliance with them is rendered excessively difficult by the disruptions to the Single Market, the~~	valid on the territory of the issuing Member State and limited to the duration of the Single Market emergency. In addition, in order to facilitate the increase in supply of crisis-relevant products, certain flexibilities should be introduced with respect to the mechanism of presumption of conformity. In the context of a Single Market emergency, the manufacturers of crisis-relevant goods should be able to rely also on national and international standards, which provide an equivalent level of protection to the harmonised European standards. In cases where the later do not exist or the compliance with them is rendered excessively difficult by the disruptions to the Single Market, the Commission should be able to issue common technical specifications of voluntary or of mandatory application in order to provide ready-to-use technical solutions to the manufacturers.]	undergone the applicable conformity assessment procedures to be placed on their respective market, provided that they comply with the applicable safety requirements. Such authorisations ~~shall~~***should*** be only valid on the territory of the issuing Member State ~~and~~***until their validity is extended to the territory of the Union by means of a Commission implementing act. The validity of such derogatory authorisation should be*** limited to the duration of the ~~Single~~***internal*** market emergency. In addition, ~~in order to facilitate~~***with a view to facilitating*** the increase in supply of ***harmonised and non harmonised*** crisis-relevant ~~products~~***goods***, certain flexibilities should be introduced with respect to the ~~mechanism of~~ ***mechanisms of presumption of conformity and*** presumption of conformity ***with the general safety requirement respectively***. In the context of ~~a~~ ~~Single~~***an internal*** market emergency, the manufacturers of crisis-relevant goods should be able to rely also on national and international standards, which provide an equivalent level of protection to the ~~harmonised~~ European standards ***whose references have been published in the Official Journal of the European Union. With respect to***

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		~~Commission should be able to issue common technical specifications of voluntary or of mandatory application in order to provide ready-to-use technical solutions to the manufacturers~~ **mode could be adopted by making use of urgency procedures, as these procedures have already been successfully used in the past**.		**the harmonised goods alone,** ~~,~~ in cases where the later do not exist or the compliance with them is rendered excessively difficult by the disruptions to the ~~Single~~**internal** market, the Commission should be able to issue common technical specifications ~~of voluntary or of mandatory application~~**providing a presumption of conformity** in order to provide ready-to-use technical solutions to the manufacturers.
Recital 27				
G 40	(27) The introduction of these crisis-relevant adjustments to the relevant sectorial Union harmonised rules requires targeted adjustments to the following 19 sectorial frameworks: Directive 2000/14/EC, Directive 2006/42/EU, Directive 2010/35/EU, Directive 2013/29/EU, Directive 2014/28/EU, Directive 2014/29/EU, Directive 2014/30/EU, Directive 2014/31/EU, Directive 2014/32/EU, Directive 2014/33/EU, Directive 2014/34/EU, Directive 2014/35/EU, Directive 2014/53/EU, Directive 2014/68/EU, Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) 305/2011. The activation of the emergency procedures should be	(27) The ~~introduction of these crisis-relevant adjustments to the relevant sectorial Union harmonised rules requires targeted adjustments to the following 19 sectorial frameworks: Directive 2000/14/EC, Directive 2006/42/EU, Directive 2010/35/EU, Directive 2013/29/EU, Directive 2014/28/EU, Directive 2014/29/EU, Directive 2014/30/EU, Directive 2014/31/EU, Directive 2014/32/EU, Directive 2014/33/EU, Directive 2014/34/EU, Directive 2014/35/EU, Directive 2014/53/EU, Directive 2014/68/EU, Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) 305/2011. The activation of the emergency procedures should be~~	(27) The introduction of these crisis-relevant adjustments to the relevant sectorial Union harmonised rules requires targeted adjustments to the following 19 sectorial frameworks~~:~~ **[**Directive 2000/14/EC, Directive 2006/42/EU, Directive 2010/35/EU, Directive 2013/29/EU, Directive 2014/28/EU, Directive 2014/29/EU, Directive 2014/30/EU, Directive 2014/31/EU, Directive 2014/32/EU, Directive 2014/33/EU, Directive 2014/34/EU, Directive 2014/35/EU, Directive 2014/53/EU, Directive 2014/68/EU, Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) 305/2011.**]** The activation of the emergency procedures should be	(27) The introduction of these crisis-relevant adjustments to the relevant sectorial Union harmonised rules requires targeted adjustments to the following ~~19 sectorial~~**16** frameworks~~:~~ Directive 2000/14/EC, Directive 2006/42/EU, Directive 2010/35/EU, Directive ~~2013/29/EU, Directive 2014/28/EU, Directive~~ 2014/29/EU, Directive 2014/30/EU, Directive ~~2014/31/EU, Directive 2014/32/EU, Directive~~ 2014/33/EU, Directive 2014/34/EU, Directive 2014/35/EU, Directive 2014/53/EU, Directive 2014/68/EU, Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) ~~2019/1009~~**305/2011, Regulation (EU) 2023/988** and Regulation (EU) ~~305/2011~~**2023/1230. The** G

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	conditional upon the activation of the Single Market emergency and should be limited to the products designated as crisis-relevant goods.	~~conditional upon the activation of the Single Market emergency and should be~~***activation of the emergency procedures should be conditional upon the activation of the internal market emergency mode and should be limited to the products designated as crisis-relevant goods. Therefore the activation of the internal market emergency mode, where necessary, should also trigger the application of certain crisis-response procedures governing the design, manufacture, conformity assessment and placing on the market of goods subject to Union harmonised rules or falling under the general safety framework rules,*** limited to the products designated as crisis-relevant goods.	conditional upon the activation of the Single Market emergency and should be limited to the products designated as crisis-relevant goods.	***amendments laying down emergency response procedures in each of the respective frameworks should only become applicable where they are specifically activated***. The activation of the emergency procedures ***under each respective framework*** should be conditional upon the activation of the ~~Single~~***internal*** market emergency ***mode under this Regulation*** and should be limited to ~~the~~ products designated as crisis-relevant goods ***and limited in time to the duration of the internal market emergency***.
Recital 28				
G 41	(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of severe shortages or an exceptionally high demand of goods of strategic importance, measures at Union level aimed to ensure the availability of crisis-relevant products, such as priority rated orders, may prove to be indispensable for the return to the normal functioning of the Single Market.	(28) ~~*In cases where there are substantial risks to the functioning of the Single Market or in cases of severe shortages or an exceptionally high demand of goods of strategic importance, measures at Union level aimed to ensure the availability of crisis-relevant products, such as priority rated orders, may prove to be indispensable for the return to the normal functioning of the Single Market*~~***Restrictions on the free***	(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of ~~severe~~**significant** shortages or an exceptionally high demand of goods of ~~strategic~~ **critical** importance, measures at Union level aimed to ensure the availability of crisis-relevant ~~products, such as priority rated orders,~~**goods** may prove to be indispensable for the ~~return to the normal~~**proper** functioning of the	(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of severe ***and persistent*** shortages or an exceptionally high demand of ~~*goods of strategic importance*~~***crisis-relevant goods***, measures at Union level aimed to ensure the availability of crisis-relevant ~~*products*~~***goods***, such as priority rated ~~*orders,*~~***requests*** may prove to be indispensable ***to ensure the proper*** G

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		movement of goods, services and persons imposed by Member States should be prohibited, unless they are non-discriminatory, justified and proportionate. It should not be possible to suspend the fundamental freedoms laid down in the Treaty in times of crisis and Member States should not use the emergency situation as a pretext for adopting restrictions going beyond the rules of Treaty. Any response to an internal market emergency should strictly comply with such rules, as well as with the rules laid down in this Regulation. If Member States adopt measures affecting the free movement of goods or persons, or the freedom to provide services in preparation for and during internal market emergencies, they should limit such measures to what is necessary and remove them as soon as the emergency mode is deactivated or earlier, when they are no longer needed. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions.	Single Market.	***functioning of the internal market and its supply chains.*** ***As an instrument of last resort to ensure the maintenance of vital societal economic activities in the internal market where the production or supply of crisis-relevant goods could not be achieved by other measures, the Commission can address requests to economic operators established in the Union to produce or supply crisis-relevant goods. When issuing a request, the Commission should take into account the possible negative impacts on competition in the internal market and the risk of exacerbating the market distortions. Furthermore, the choice of the recipients and beneficiaries of the requests should not be discriminatory.*** ***The priority-rated request should be taken based on objective, factual, measurable, and substantiated data. It should have regard*** for the ~~*return*~~***legitimate interests of the undertakings and the cost and effort required for any change in production sequence. The priority-rated request should clearly specify that the choice to accept or refuse the request remains entirely with the economic operator. Where the economic operator chooses to***

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				refuse the priority-rated request, the economic operator is also free to decide whether to provide an explicit rejection and whether to provide a justification when communicating its rejection to the ~~*normal functioning of the Single*~~***Commission.*** ***When accepted, the obligation to perform the priority-rated request should take precedence over any performance obligation under private or public law. Each priority-rated request should be placed at a fair and reasonable price. The calculation of such price may be carried out on the basis of average*** market ***prices over recent years, subject to reasons being given for any increase or decrease, for example taking into account inflation or input costs. In light of the importance to ensure the supply of crisis-relevant goods, which are indispensable for the maintenance of vital societal economic activities in the internal market, compliance with the obligation to perform a priority-rated request should not entail liability for damages towards third parties for any breach of contractual obligations governed by the law of a Member State that may result, to the extent the violation of contractual obligations was necessary for compliance with the***

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				mandated prioritisation. Economic operators potentially within scope of a priority-rated order may anticipate this possibility in the conditions of their commercial contracts. Without prejudice to the applicability of other provisions, the liability for defective products, provided for by Council Directive 85/374/EEC, is not affected by this liability exemption. ***Where the economic operator has expressly accepted a priority-rated request and the Commission has adopted an implementing act following such an acceptance, the economic operator should comply with all the conditions of that implementing act. Non-compliance by the economic operator with the conditions laid down in the implementing act should result in a loss of the benefit of a waiver of contractual liability. When the non-compliance is intentional or attributable to gross negligence, the economic operator may also be subject to a fine, subject to the proportionality principle. Economic operators which have not explicitly accepted a priority-rated request cannot be subject to any sanctions or fines.***
Recital 29				

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42	(29) In order to leverage the purchasing power and negotiating position of the Commission during the Single Market vigilance mode and the Single Market emergency mode, Member States should be able to request the Commission to procure on their behalf.	(29) ~~*In order to leverage the purchasing power and negotiating position*~~***Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the crisis response measures*** of the ~~*Commission*~~***Member States*** during the ~~*Single Market vigilance mode*~~***pandemics, partly due to not knowing where to obtain such information, partly due to language constraints*** and the ~~*Single Market emergency mode,*~~***administrative burden implied in making repeated inquiries in all the*** Member States***, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights or continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures*** ~~*should be able to request the Commission to procure on their behalf*~~.	(29) **In addition to the current possibility for joint procurement between the Commission and one or more Member States foreseen in the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union[1] (Financial Regulation) , one or more Member States should also be able to request the Commission to procure on their behalf,** in order to leverage the purchasing power and negotiating position of the Commission during the Single Market vigilance mode and the Single Market emergency mode~~,~~**. The agreement governing the Commission's procurement on behalf of one or more Member States or joint procurement between the Commission and one or more** Member States should ~~be able to request~~**provide, if necessary, for an exclusivity clause, under which participating countries commit to not procuring the goods or services in question through other channels and to not running parallel negotiation processes. If such an exclusivity clause is agreed, it may also stipulate that where due to the change of circumstances the ongoing joint procurement or procurement by**	(29) ***In addition to the current possibility for joint procurement between the Commission and one or more Member States foreseen in the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union[1] (Financial Regulation) , one or more Member States should also be able to request the Commission to procure in their name or on their behalf,*** in order to leverage the purchasing power and negotiating position of the Commission during the ~~*Single*~~***internal*** market vigilance mode and the ~~*Single*~~***internal*** market emergency mode***.*** ***Such procurement should mean the acquisition by means of a contract of crisis-relevant works, supplies or services and the acquisition or rental of land, buildings or other immovable property for responding to the crisis, by the contracting authority from economic operators chosen by that contracting authority. The Commission should be able to conduct the relevant procurement procedure in the name of or on behalf of*** ~~,~~Member States ***based on an agreement between the parties, or act as a wholesaler, by***

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			the Commission **on behalf of the Member States is not capable of fully covering the procurement needs of the participating Member States for responding to the Single Market emergency or the underlying crisis, the participating Member States may launch** ~~to procure on~~ their **own procurement procedure [Those possibilities should be regulated in this Regulation as long as the [recast of] the Financial Regulation does not contain corresponding provisions regarding procurement on** behalf **of one or more Member States]**[2]. **1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union** **2. This sentence will stay as long as the recast Financial Regulation does not enter into force before this Regulation.**	***buying, stocking and reselling or donating supplies and services, including rentals, to the participating Member States or partner organisations it has selected.*** ***It became clear during the COVID-19 pandemic that the Commission*** should be able to ~~*request*~~***procure crisis-relevant goods and services jointly with third countries, such as the EFTA states and the European microstates.*** ***Any joint procurement procedures launched for the acquisition of crisis-relevant goods and services or goods and services of critical importance should not negatively affect the functioning of the internal market and should not constitute discrimination or a restriction of trade, nor should such procurement procedures cause distortion of competition or have any direct financial impact on the budget of the countries that do not participate in the joint procurement procedure.*** ***It is also essential to ensure that Member States coordinate their actions with the support of*** the Commission ***and the Board prior to launching procedures for the procurement of crisis-relevant***

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				goods and services. During contingency phase, Member States should put in place a system which would allow to identify during emergencies which contracting authorities subject to Directive 2014/24/EU are procuring the crisis-relevant goods and services. Member States should be able to rely on the central liaison offices for collection and transmission of information about ongoing and intended procurement by the contracting authorities and contracting entities in ~~*to procure on*~~ their ***territory for the purposes of compliance with the coordination clause under this Regulation.*** ***The agreement governing the Commission's procurement on*** behalf ***of or in the name of one or more Member States or joint procurement between the Commission and one or more Member States should where appropriate, provide for an exclusivity clause, under which participating countries commit to not procuring the goods or services in question through other channels and to not running parallel negotiation processes***. ***Where such an exclusivity clause is provided for, it should stipulate that where Member States have***

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				additional procurement needs and such procurement does not undermine the ongoing joint procurement or procurement on behalf of or in the name of the Member States according to the assessment of the Commission, the participating Member States may launch their own procurement procedure. Having in mind the purpose of the exclusivity clause not to undermine the ongoing joint procurement or procurement on behalf of or in the name of the Member States, which would not be affected by a de minimis procurement, it may be permitted for Member States' contracting authorities and contracting entities to launch a procurement procedure which falls below the thresholds of Directives 2014/24/EU and 2014/25/EU. Given that procurement from an economic operator that is not participating in the ongoing tender would not undermine the ongoing procurement, the exclusivity clause laid down in Article 39 should also not apply to this kind of procurement.
				Where a Member State decides to participate in joint procurement or procurement on behalf of or in the name of Member States for acquiring crisis-relevant goods and

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				services, it should be able to use the central liaison offices provided for in this Regulation to inform all contracting authorities and contracting entities in its territory of such ongoing procurement, which will trigger the application of the exclusivity clause. ***Transparency is a core principle of effective public procurement that improves competition, increases efficiency and creates a level playing field. The European Parliament should be informed about procedures concerning joint procurements under this Regulation and, upon request, be granted access to the contracts concluded as a result of those procedures, subject to the adequate protection of secrecy and protection of any personal data, the national security of the Member States and commercially sensitive information, including business secrets.*** ***1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union***
Recital 29a				
G 42a			**(29a) The Member States should act in solidarity during crisis and**	***(29a) The Member States should act in solidarity during crisis and***

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			may therefore, when the emergency mode has been activated, be encouraged by the Commission to share the crisis-relevant goods and services that the Member State in question might have at their disposal to be distributed to another Member State in need. The Commission should help to coordinate this distribution,	***may therefore, when the emergency mode has been activated, be encouraged by the Commission to share the crisis-relevant goods and services that the Member State in question might have at their disposal to be distributed to another Member State in need. The Commission should help to coordinate this distribution.***
Recital 30				
G 43	(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of	(30) ~~*Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take*~~***Article 21 TFEU lays down the right of Union citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and***	(30) Where there is a severe shortage of crisis-relevant products or services on the Single Market during a Single Market emergency, and it is clear that the economic operators that operate on the Single Market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of	(30) Where ~~*there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such*~~***the Commission is informed by one or more Member States of shortages of crisis-relevant*** goods~~*, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed*~~ ***and services or a risk thereof***, the Commission should be able to recommend to the Member States ~~*as a last resort*~~ to take measures ~~*to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to*~~ G

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	the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.	***limitations are laid down in Directive 2004/38/EC. That Directive sets out the general principles applicable to those limitations and the grounds that may be used to justify such*** measures***. Those grounds are public policy, public security or public health. In this context, restrictions to the freedom of movement can be justified if they are proportionate and non-discriminatory. This Regulation is not intended to provide for additional grounds for the limitation*** ~~*to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type*~~ of the ~~*crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes*~~***right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC***.	the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.	~~*provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the*~~***aimed at ensuring the swift increase of the availability of crisis-relevant goods and services. The Commission should consider the impact of the envisaged measures on the concerned economic operators. Such recommendations may include measures aimed at facilitating the expansion, repurposing or establishment of new production capacities for*** crisis-relevant goods or ~~*services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes*~~***new capacities related to crisis-relevant service activities as well as aimed at accelerating the relevant and applicable approval, authorisation and registration requirements***.
Recital 31				
44	(31) The measures ensuring regulatory flexibility would allow	(31) The measures ~~*ensuring regulatory flexibility would allow the*~~	(31) The measures ensuring regulatory flexibility would allow	*deleted*

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	the Commission to recommend that Member States accelerate the procedures for granting permits that would be necessary for enhancement of the capacity to produce crisis-relevant goods or provide crisis-relevant services.	~~*Commission to recommend that Member States accelerate the procedures for granting permits that would be necessary for enhancement of the capacity to produce crisis-relevant goods or provide crisis-relevant services*~~***for facilitating the free movement of persons and any other measures affecting the free movement of persons provided under this Regulation are based on Article 21 TFEU and complement Directive 2004/38/EC, without affecting its application in the event of internal market emergencies. Such measures should not result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law***.	the Commission to recommend that Member States accelerate the procedures for granting permits that would be necessary for enhancement of the capacity to produce crisis-relevant goods or provide crisis-relevant services **or to accelerate the relevant approval or authorisation procedures with a view to accelerating the production and distribution of crisis-relevant goods or placing on the market of such products**.	
Recital 32				
G *45*	*(32)* Additionally, to ensure that crisis-relevant goods are available during the Single Market emergency, the Commission may invite the economic operators that operate in crisis-relevant supply chains to prioritise the orders of inputs necessary for the production of final goods that are crisis relevant, or the orders of such final goods themselves. Should an economic operator refuse to accept and prioritise such orders, following	(32) ~~*Additionally, to ensure that crisis-relevant goods are available during the Single Market emergency, the Commission may invite the economic operators that operate in crisis-relevant supply chains to prioritise the orders of inputs necessary for the production of final goods that are crisis relevant, or the orders of such final goods themselves. Should an economic operator refuse to accept and prioritise such orders, following*~~	*deleted*	*deleted* G

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	objective evidence that the availability of crisis-relevant goods is indispensable, the Commission may decide to invite the economic operators concerned to accept and prioritise certain orders, the fulfilment of which will then take precedence over any other private or public law obligations. In the event of failure to accept, the operator in question should explain its legitimate reasons for declining the request. The Commission may make such reasoned explanation or parts of it public, with due regard to business confidentiality.	~~*objective evidence that the availability of crisis-relevant goods is indispensable, the Commission may decide to invite the economic operators concerned to accept and prioritise certain orders, the fulfilment of which will then take precedence over any other private or public law obligations. In the event of failure to accept, the operator in question should explain its legitimate reasons for declining the request. The Commission may make such reasoned explanation or parts of it public, with due regard to business confidentiality.*~~***Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to facilitate the free movement of persons, increase transparency and provide administrative assistance during internal market emergencies. Such measures include setting up the single points of contact and making them available to workers and their representatives in the Member States and at Union level during the internal market vigilance and emergency modes under this Regulation. Member States and the***		

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		Commission are encouraged to use existing instruments for the set up and operation of these contact points. Such contact points should be active outside the emergency mode and should serve to help communication between the Member States and with the Board.		
Recital 32a				
G *45a*				***(32a) It is necessary to provide information holders with safeguards that the information that they have provided as a result of the application of this Regulation is processed and used respecting the principles of necessity and proportionality. Information received via monitoring, information requests and priority rated requests, may therefore only be used by any Union institution or body, Member State authority and their staff as well any individuals, including the members and observers of the Internal Market Emergency and Resilience Board, only for the purpose for which it was requested.*** ***(32b) Given that the Internal Market Emergency and Resilience Board acts as an advisory body to the Commission, it must respect the Commission's principles, standards*** G

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				and rules for protecting classified information and sensitive non-classified information including, inter alia, provisions for processing and storage of such information as set out in Commission Decisions (EU, Euratom) 2015/443* and (EU, Euratom) 2015/444**. ***Staff members of the Commission and other Union institutions and bodies that have access to the classified information and sensitive non-classified information relating to the work of the Board are bound by the confidentiality requirements under Article 339 TFEU, even after their duties have ceased.*** **** Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).*** *****Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53). [MT1]EP: replace these words by "Commission's". Council still checking.***
Recital 33				
46	(33) Furthermore, to ensure	(33) ~~*Furthermore,*~~***In order*** to ensure	(33) Furthermore, to ensure	(33) ***Where the Commission is***

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	availability of crisis-relevant goods during the Single Market emergency, the Commission may recommend that Member States distribute strategic reserves, having with due regard to the principles of solidarity, necessity and proportionality.	~~availability of crisis-relevant goods during the Single Market emergency,~~***uniform conditions for the implementation of this Regulation, implementing powers should be conferred on*** the Commission ~~*may recommend that Member States distribute strategic reserves, having with due regard to the principles of solidarity, necessity and proportionality*~~***as regards the possibility to adopt supportive measures for facilitating the free movement of persons. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council***.	availability of crisis-relevant goods during the Single Market emergency, the Commission may recommend that Member States distribute ~~strategic reserves~~**those crisis-relevant goods and services**, having ~~with~~ due regard to the principles of solidarity, necessity and proportionality.	***informed by one or more Member States of shortages of crisis-relevant goods and services, the Commission should transmit the information to all competent authorities of the Member States and streamline the coordination of the response.*** Furthermore, to ensure availability of crisis-relevant goods ***and services*** during ***an internal Market emergency and with a view to ending the Internal*** ~~*the Single*~~ Market emergency, the Commission may recommend that ***the*** Member States distribute ~~*strategic reserves*~~***those crisis-relevant goods or services***, having ~~*with*~~ due regard to the principles of solidarity, necessity and proportionality.
Recital 34				
G 47	(34) Where the activities to be carried out pursuant to this Regulation involve the processing of personal data, such processing should comply with the relevant Union legislation on personal data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and Regulation (EU) 2016/679 of the European Parliament and of the Council[2]. _____ 1. Regulation (EU) 2018/1725 of the	(34) ~~*Where the activities to be carried out pursuant to this Regulation involve the processing of personal data, such processing should comply with the relevant Union legislation on personal data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council*[1] *and Regulation (EU) 2016/679*~~***The activation of the internal market vigilance or emergency mode should trigger an obligation for the Member States to notify the***	(34) Where the activities to be carried out pursuant to this Regulation involve the processing of personal data, such processing should comply with the relevant Union legislation on personal data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and Regulation (EU) 2016/679 of the European Parliament and of the Council[2]. _____ 1. Regulation (EU) 2018/1725 of the	(34) Where the activities to be carried out pursuant to this Regulation involve the processing of personal data, such processing should comply with the relevant Union legislation on personal data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and Regulation (EU) 2016/679 of the European Parliament and of the Council[2]. _____ 1. Regulation (EU) 2018/1725 of the G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39). 2. Regulation (EU) 2016/769 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).	***Commission of the adoption of measures regarding crisis-relevant restrictions on the free movement of goods, the freedom to provide services and the free movement of persons, including workers, accompanied by a statement justifying the introduction of such measures. The statement on the proportionality of such measures should take into account the impact*** of the ~~*European Parliament and of the Council*~~[2] ***measures, their scope and their expected duration***. _____ ~~*1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).*~~ ~~*2. Regulation (EU) 2016/769 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).*~~	European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39). 2. Regulation (EU) 2016/769 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).	European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39). 2. Regulation (EU) 2016/769 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1). Text Origin: Council Mandate
Recital 35				
G 48	(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the	(35) ~~*In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on*~~***When***	(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the	(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission as regards the possibility to adopt supportive measures for facilitating free movement of persons, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved. Furthermore, implementing powers should be conferred on the Commission as regards activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.	***examining the compatibility of any notified draft or adopted measures with the principle of proportionality,*** the Commission ~~*as regards the possibility to adopt supportive measures for facilitating free movement of persons, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives*~~***should pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context*** of the ~~*initiative are achieved. Furthermore, implementing powers should be conferred on*~~***crisis. Where justified and necessary in the circumstances,*** the Commission ~~*as regards activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be*	Commission as regards ~~the possibility to adopt supportive measures for facilitating free movement of persons, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved.~~ Furthermore**specifications of the contingency framework regarding preparedness cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes. Moreover**, implementing powers should be conferred on the Commission as regards ~~activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance~~**the possibility to adopt supportive measures for facilitating free movement of persons.** . Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the	Commission as regards ~~*the possibility to adopt supportive measures for facilitating free movement of persons, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved. Furthermore*~~***specifications of the contingency framework regarding preparedness cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes. Moreover***, implementing powers should be conferred on the Commission as regards ~~*activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance*~~***the possibility to adopt administrative arrangements and templates for facilitating free movement of persons***. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No

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		~~*exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council*~~***may consider, based on any available information, including specialised or scientific information, the merits of Member State arguments. It is the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the internal market. The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out in this Regulation***.	European Parliament and of the Council[1]. _____ **1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).**	182/2011 of the European Parliament and of the Council[1]. _____ ***1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*** Text Origin: Council Mandate
Recital 35a				
G 48a			**(35a) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to the impacts of the crisis on the Single Market, imperative grounds of urgency so require.**	***(35a) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to the impacts of the crisis on the internal market, imperative grounds of urgency so require.*** G
Recital 36				
G 49	(36) This Regulation respects fundamental rights and observes the	(36) ~~*This Regulation respects fundamental rights and observes the*~~	(36) This Regulation respects fundamental rights and observes the	(36) This Regulation respects fundamental rights and observes the G

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	principles recognised in particular by the Charter of Fundamental Rights of the European Union (the 'Charter'). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26 of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.	~~*principles recognised in particular by the Charter of Fundamental Rights of the European*~~***If the Commission finds that the notified measures are not in accordance with*** Union ~~*(the 'Charter'). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26*~~***law, it may issue a decision requiring the Member State concerned to modify or to refrain from adopting the notified draft measure. The adoption of decisions is without prejudice to the prerogatives*** of the ~~*Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47*~~***Commission as guardian*** of the ~~*Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of*~~	principles recognised in particular by the Charter of Fundamental Rights of the European Union (the 'Charter'). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article ~~26~~**28** of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. ~~Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.~~	principles recognised in particular by the Charter of Fundamental Rights of the European Union (the 'Charter'). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article ~~*26*~~***28*** of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. ~~*Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.*~~

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		~~*proportionality as set out in that Article,*~~ ***Treaties, having the responsibility of ensuring respect for the free movement of goods, services and persons. To guarantee the effective implementation of*** this Regulation***, the Commission should provide an effective response to breaches of Union law through infringement proceedings*** ~~*does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU*~~.	PUBLIC	
Recital 36a				
G 49a			**(36-a) Since the objective of this Regulation, namely to ensure the smooth and undisrupted functioning of the Single Market by putting in place contingency and vigilance measures across the Single Market in order to facilitate the coordination of the response measures in the case of a crisis, cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of**	***(36a) Since the objective of this Regulation, namely to ensure the smooth and undisrupted functioning of the internal market by putting in place contingency, vigilance and emergency measures across the internal market in order to facilitate the coordination of the response measures in the case of a crisis, cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of*** G

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			proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.	***proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.***
Recital 36b				
49b			**(36b) This Regulation should not be interpreted as affecting the right to environmental protection, the right of collective bargaining and the right to take collective action in accordance with the Charter of Fundamental Rights of the European Union ('the Charter'), including the right of workers and employees to take collective action to defend their interests, including strike action, and the right or freedom to strike or to take other action covered by the specific industrial relation systems in Member States in accordance with national law or practice.**	***(36b) This Regulation should not be interpreted as affecting the right to environmental protection, the right of collective bargaining and the right to take collective action in accordance with the Charter of Fundamental Rights of the European Union ('the Charter'), including the right of workers and employees to take collective action to defend their interests, including strike action, and the right or freedom to strike or to take other action covered by the specific industrial relation systems in Member States in accordance with national law or practice.***
Recital 36c				
49c			**(36c) Other Union legal acts, such as those providing for obligations on economic operators to make**	***(36c) Other Union legal acts, such as those providing for obligations on economic operators to make***

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			data available to public sector bodies, do not affect this Regulation. Therefore where other Union legal acts also contain provisions on information requests by the Commission which have the same purpose as those provided for under this Regulation after the emergency mode has been activated by the Council, only the relevant provisions of this Regulation should apply.	***data available to public sector bodies, do not affect this Regulation. Therefore where other Union legal acts also contain provisions on information requests by the Commission which have the same purpose as those provided for under this Regulation after the emergency mode has been activated by the Council, only the relevant provisions of this Regulation should apply.***
Recital 37				
G 50	(37) The Union remains fully committed to international solidarity and strongly supports the principle that any measures deemed necessary taken under this Regulation, including those necessary to prevent or relieve critical shortages, are implemented in a manner that is targeted, transparent, proportionate, temporary and consistent with WTO obligations.	(37) ~~*The Union remains fully committed to international solidarity and strongly supports the principle that any measures deemed necessary taken under this Regulation, including those necessary to prevent or relieve critical shortages, are implemented in a manner that is targeted, transparent, proportionate, temporary and consistent with WTO obligations*~~***To ensure that citizens, consumers, economic operators and workers and their representatives are provided with assistance in the event of an emergency, it is important to establish national single points of contact and a Union level single point of contact. Member States should ensure that it is possible for anyone affected by national crisis response measures to***	(37) The Union remains fully committed to international solidarity and strongly supports the principle that any measures deemed necessary taken under this Regulation, including those necessary to prevent or relieve critical shortages, are implemented in a manner that is targeted, transparent, proportionate, temporary and consistent with WTO obligations.	(37) The Union remains fully committed to international solidarity and strongly supports the principle that any measures deemed necessary taken under this Regulation, including those necessary to prevent or relieve critical shortages, are implemented in a manner that is targeted, transparent, proportionate, temporary and consistent with WTO obligations. G Text Origin: Council Mandate

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		receive relevant information from the competent authorities, provided in clear, understandable and intelligible language, and in easily accessible manner for people with disabilities.		
Recital 38				
51	(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions.	(38) ***In order to ensure that the specific internal market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular internal market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation and the crisis-relevant goods or services that such measures apply to*** ~~*The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions*~~.	(38) The Union framework ~~shall~~**should** include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions.	(38) The Union framework ~~*shall*~~***should*** include interregional elements to establish coherent, multi-sectoral, cross-border ~~*Single*~~***internal*** market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions.
Recital 38a				
51a				

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			deleted	*deleted*
Recital 39				
52	*(39)* The Commission shall also where appropriate enter into consultations or cooperation, on behalf of the Union, with relevant third countries, with particular attention paid to developing countries, with a view to seeking cooperative solutions to address supply chain disruptions, in compliance with international obligations. This shall involve, where appropriate, coordination in relevant international fora.	(39) ~~*The Commission shall also where appropriate enter into consultations or cooperation, on behalf of the Union, with relevant third countries, with particular attention paid to developing countries, with a view to seeking cooperative solutions to address supply chain disruptions, in compliance with international obligations. This shall involve, where appropriate, coordination in relevant international fora*~~***Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the activation of the internal market emergency mode measures where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. The reasons for such activation should be indicated in each act, and should take all particular aspects of a crisis into account***.	*deleted*	*deleted*
Recital 40				
53				

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	(40) In order to put in place a framework of crisis protocols the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the regulatory framework set out in this Regulation by further specifying the modalities of cooperation of the Member States and Union authorities during the Single Market vigilance and emergency modes, secure exchange of information and risk and crisis communication. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	(40) ~~*In order to put in place a framework of crisis protocols the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the regulatory framework set out in this Regulation by further specifying the modalities of cooperation*~~***Information requests to economic operators should be used by the Commission as a last resort only where the information which is necessary for responding adequately to the internal market emergency, such as information necessary for procurement by the Commission on behalf*** of the Member States ~~*and Union authorities during the Single Market vigilance and emergency modes, secure exchange of information and risk and crisis communication. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament*~~***or estimating the production capacities of manufacturers of crisis-relevant**	*deleted*	*deleted*

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		goods whose supply chains have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily any other way, in cooperation with the Board and the ~~*Council receive all documents at the same time as*~~ Member States~~'~~ ~~*experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts*~~.		
Recital 41				
54	*(41)* Council Regulation (EC) 2679/98 which provides for a mechanism for bilateral discussions of obstacles to the functioning of the Single Market has been rarely used and is outdated. Its evaluation demonstrated that the solutions provided by that Regulation are not able to cater for the realities of complex crises, which are not limited to incidents happening at the borders of two neighbouring Member States. It should therefore be repealed.	(41) ~~*Council Regulation (EC) 2679/98 which provides for a mechanism for bilateral discussions of obstacles*~~***Where there are substantial risks*** to the functioning of the ~~*Single*~~***internal*** market ~~*has been rarely used and is outdated. Its evaluation demonstrated that the solutions provided by that Regulation are not able to cater for the realities of complex crises, which are not limited to incidents happening at the borders of two neighbouring Member States. It should therefore be repealed***~~***or where there are severe shortages or an exceptionally high demand for goods of critical importance, measures at Union level aiming to ensure the availability of crisis-***~~	*deleted*	*deleted*

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		relevant goods, such as priority-rated orders, may prove to be indispensable in order to return to the normal functioning of the internal market.		
Recital 41a				
G *54a*		***(41a) Where there is a severe shortage of crisis-relevant goods and services on the internal market during an internal market emergency, and it is clear that the economic operators that operate on the internal market do not produce such goods, but would in principle be able to repurpose their production lines or would have sufficient capacity to provide the necessary goods or services, the Commission should be able to recommend to the Member States, as a last resort, to take measures to facilitate or request the ramping up or repurposing of the production capacity of manufacturers or the capacity of service providers to provide crisis-relevant services. In doing so, the Commission should inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods and services that are necessary and should provide support and advice in relation to the flexibilities in the Union acquis for such purposes.***		*deleted* G

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Recital 41b				
54b		***(41b) The measures ensuring regulatory flexibility would allow the Commission to recommend that Member States accelerate the procedures for granting permits necessary for the enhancement of the capacity to produce crisis-relevant goods or provide crisis-relevant services.***		*deleted*
Recital 41c				
54c		***(41c) Additionally, to ensure that crisis-relevant goods are available during the internal market emergency, the Commission may invite the economic operators that operate crisis-relevant supply chains to prioritise orders for crisis-relevant goods or orders for inputs necessary for the production of crisis-relevant goods. In the event that an economic operator refuses to accept the invitation to prioritise such orders, despite objective evidence that the availability of crisis-relevant goods is indispensable, the Commission may invite the economic operators concerned to accept and prioritise certain orders, the fulfilment of which will then take precedence***		*deleted*

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		over any other private or public law obligations. In the event of failure to accept, the operator in question should give legitimate reasons for declining the request.		
Recital 41d				
G *54d*		***(41d) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the activation of specific emergency response measures, namely priority-rated orders, during an internal market emergency, to allow for a rapid and coordinated response. The priority-rated order should be placed at a fair and reasonable price, including, where relevant, appropriate compensation for all additional costs incurred by the economic operator, including costs arising from, for example, contracts outside of the Union or changing production lines. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.***		*deleted* G
Recital 41e				
G *54e*		***(41e) Furthermore, where severe shortages of crisis-relevant goods and services affect a Member State,***		*deleted* G

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		the Member State concerned may inform the Commission thereof and indicate the quantities needed. The Commission should transmit the information to all competent authorities and streamline the coordination of Member States' responses. To ensure availability of crisis-relevant goods during an internal market emergency, the Commission may also recommend that Member States distribute strategic reserves, having due regard to the principles of solidarity, necessity and proportionality.		
Recital 41f				
G	*54f*	***(41f) In order to leverage the purchasing power and negotiating position of the Commission during the internal market vigilance and emergency modes, Member States should be able to request that the Commission procures on their behalf. It is also essential to ensure that Member States coordinate their actions with the support of the Commission and the Board prior to launching procedures for the procurement of crisis-relevant goods and services. Transparency is a core principle of effective public procurement that improves competition, increases efficiency***		*deleted* G

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		and creates a level playing field. The European Parliament should be informed about procedures concerning joint procurements under this Regulation and, upon request, be granted access to the contracts concluded as a result of those procedures, subject to the adequate protection of commercially sensitive information, including business secrets.		
Recital 41g				
G	*54g*	***(41g) It is necessary to lay down rules on digital tools in order to ensure preparedness when responding to possible future emergencies in a timely and efficient manner, as well as to guarantee the continued functioning of the internal market, the free circulation of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities. When establishing such tools, the Commission should seek to ensure interoperability with already existing digital tools, such as the Internal Market Information System (IMI) in order to avoid duplication of requirements and any additional administrative burden. This Regulation should***		***(41g) It is necessary to lay down rules on digital tools in order to ensure preparedness for responding to possible future emergencies in a timely and efficient manner to guarantee the continued functioning of the internal market, the free circulation of goods, services and persons in times of crisis and the availability of crisis-relevant goods and services to citizens, businesses and public authorities. This Regulation should also set out rules for digital tools ensuring prioritisation and acceleration of authorisation, registration or declaration procedures to facilitate the free movement of persons and the secure transmission and exchange of information. The Commission and the Member States should***

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		also set out rules for the adequate coordination, cooperation and exchange of information, and establish digital tools to guarantee the functioning of fast lanes for critical goods and services, aiming to accelerate authorisation, registration or declaration procedures. Furthermore, in order to enhance involvement of all economic actors, in particular businesses and civil society, the Commission should set up a stakeholder platform to facilitate and encourage voluntary response to internal market emergencies.		***reuse or expand to the extent possible their existing digital tools. When this is not possible, the Commission and the Member States should establish, where necessary and justified, new digital tools. The Commission should set out the technical aspects of such tools or infrastructures by means of implementing acts. Furthermore, in order to enhance involvement of all economic actors, in particular businesses and civil society, the Commission should set up a stakeholder platform to facilitate and encourage voluntary response to internal market emergencies.***
Recital 41h				
G 54h		***(41h) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the 'Charter'). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, the right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the***		*deleted* G

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		Charter, the right to collective bargaining and action, protected by Article 28 of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter.		
Recital 41i				
G	*54i*	***(41i) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.***		*deleted*
Recital 41j				
G	*54j*	***(41j) The Commission should carry out an evaluation of the effectiveness of this Regulation and submit a report to the European Parliament and the Council, including an evaluation of the work of the Board, stress tests, training and crisis protocols, the criteria for the activation of the emergency***		***(41j) The Commission should carry out a regular evaluation of the functioning and effectiveness of this Regulation and submit a report to the European Parliament and the Council, including an evaluation of the work of the Board, stress tests, training and crisis protocols, the criteria for the activation of the***

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		mode as well as the use of digital tools. Furthermore, reports should be submitted after the deactivation of the emergency modes. Those reports should include an evaluation of the functioning of the emergency response system and of the impact of the emergency measures on fundamental rights, such as the freedom to conduct business, the freedom to seek employment and to work, and the right to collective bargaining and action, including the right to strike. This Regulation should not be interpreted as affecting the right of collective bargaining and the right to take collective action in accordance with the Charter of Fundamental Rights of the European Union ('the Charter'), including the right of workers and employees to take collective action to defend their interests, including strike action. Furthermore, this Regulation should not affect the autonomy of the social partners as recognised by the TFEU.	PUBLIC	***emergency mode as well as the use of digital tools. Furthermore, reports should be submitted by 4 months after the deactivation of the internal market vigilance and emergency modes. Those reports should include an evaluation of the measures implemented under this Regulation in relation to the crisis that lead to such an activation, in particular on the effectiveness of those measures.*** ***Those reports could suggest any improvements if necessary, and be accompanied, where appropriate, by relevant legislative proposals.***
Recital 41k				
54k		***(41k) Any actions under this Regulation should be consistent with the Union's obligations under the relevant international law. The Union remains fully committed to***		*deleted*

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		international solidarity and strongly supports the principle that any measures deemed necessary taken under this Regulation, including those necessary to prevent or relieve critical shortages, are implemented in a manner that is targeted, transparent, proportionate, temporary and consistent with WTO obligations.	PUBLIC	
Recital 41l				
G *54l*		***(41l) The Union framework should include interregional elements to establish coherent, multi-sectoral, cross-border internal market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions.***		*deleted* G
Recital 41m				
G *54m*		***(41m) In order to put in place a framework of crisis protocols, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement this Regulation by further specifying the modalities of cooperation of the Member States and Union authorities during the internal market vigilance and***		*deleted* G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
		emergency modes, as well as the modalities of the secure exchange of information and of the risk and crisis communication. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			
Recital 41n					
G	*54n*	***(41n) Council Regulation (EC) No 2679/98 provides for a mechanism for bilateral discussions and notification of obstacles to the functioning of the internal market. In order to avoid the duplication of notification requirements in crisis situations, that Regulation should therefore be amended accordingly. Regulation (EC) No 2679/98 should***		***(41n) Council Regulation (EC) No 2679/98 provides for a mechanism for bilateral discussions and notification of obstacles to the functioning of the internal market. In order to avoid the duplication of rules where the internal market emergency mode has been activated, that Council Regulation should therefore be amended***	G

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		not in any way affect the exercise of fundamental rights as recognised at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law. It should also be without prejudice to the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law.	PUBLIC	***accordingly. Regulation (EC) No 2679/98 should not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law or practice. It should also be without prejudice to the right to negotiate and to conclude collective agreements, to take collective action in accordance with national law or practice.***
Recital 42				
G	54o		**(42) This Regulation should be evaluated after [five] years. In case the Single Market vigilance mode or the Single Market emergency mode has been activated, the Commission, by [18] months after the deactivation of the Single Market vigilance mode or the Single Market emergency mode, should present a report to the European Parliament and the Council on the functioning of the contingency planning, Single Market vigilance and emergency response system suggesting any improvements if necessary, accompanied, where appropriate, by relevant legislative proposals.**	*deleted* G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
55	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
I				
56	I Part I	I Part I	I Part I	I Part I
Title I				
57	Title I Scope	Title I Scope	Title I Scope	Title I Scope
Article 1				
58	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter **and objectives**	Article 1 Subject matter ***and objectives***
Article 1(1)				
59	1. This Regulation establishes a framework of measures to anticipate, prepare for and respond to impacts of crises on the Single Market, with the purpose of safeguarding the free movement of goods, services and persons and of ensuring the availability of goods and services of strategic importance and crisis-relevant goods and services in the	1. ~~*This Regulation establishes a framework of measures to anticipate, prepare for and respond to impacts of crises on the Single*~~***The aim of this Regulation is to contribute to the proper functioning of the internal*** market~~*, with the purpose of safeguarding the free movement of goods, services and persons and of ensuring the*	1. This Regulation establishes a framework of **approximating** measures to anticipate, prepare for and respond to impacts of crises on the Single Market~~, with the purpose of safeguarding the free movement of goods, services and persons and of ensuring the availability of goods and services of strategic importance and crisis-relevant goods and~~	1. This Regulation establishes a framework of ***harmonised*** measures to ***effectively*** anticipate, prepare for and respond to ~~*impacts of crises on the Single Market, with the purpose of safeguarding the free movement of goods, services and persons and of ensuring the availability of goods and services of strategic importance and crisis-relevant goods and*~~

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Single Market.	~~*availability of goods and services of strategic importance and crisis-relevant*~~ ***by setting out a framework of harmonised rules to strengthen its resilience, to effectively anticipate and prevent crises, to ensure an effective response to crises, and to facilitate the free movement of*** goods ~~*and*~~**,** services ~~*in the Single Market*~~***and persons***.	~~services in the Single Market.~~**.**	~~*services in the Single*~~***the impact of crises on the internal*** market.
Article 1(1a)				
59a			**1a. The framework referred to in paragraph 1 aims at:**	***1a. The framework referred to in paragraph 1 aims to:***
Article 1(1a), first indent				
59b			**- safeguarding and facilitating the free movement of goods, services and persons, including workers,**	***(a) safeguard and facilitate the free movement of goods, services and persons, including workers;***
Article 1(1a), first indent				
59c			**- ensuring the availability of goods and services of critical importance and crisis-relevant goods and services in the Single Market where the Member States have adopted or are likely to adopt divergent measures which lead to cross-border restrictions, and**	***(b) ensuring the availability of goods and services of critical importance and crisis-relevant goods and services in the internal market where the Member States have adopted or are likely to adopt divergent national measures; and***
Article 1(1a), first indent				

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59d			**- preventing the creation of obstacles to the proper functioning of the Single Market.**	***(c) prevent the creation of obstacles to the proper functioning of the internal market.***
Article 1(2)				
60	2. The measures referred to in paragraph 1 include:	*deleted*	2. The ~~measures~~**framework** referred to in paragraph 1 ~~include~~**includes, in particular the following**:	2. ~~*The measures referred to in paragraph 1 include*~~ ***This Regulation lays down, in particular***:
Article 1(2), point (a)				
61	(a) an advisory group to advise the Commission on the appropriate measures for anticipating, preventing or responding to the impact of a crisis on the Single Market;	*deleted*	(a) ~~an advisory group to advise the Commission on the appropriate measures for~~**the establishment of a Single Market Emergency Board to assist and advise the Commission in** anticipating, preventing or responding to the impact of a crisis on the Single Market;	(a) ***rules on the establishment and functioning of an Internal Market Emergency and Resilience Board to assist and advise the Commission in*** ~~*an advisory group to advise the Commission on the appropriate measures for*~~ anticipating, preventing or responding to the impact of a crisis on the ~~*Single*~~***internal*** market;
Article 1(2), point (b)				
62	(b) measures for obtaining, sharing and exchanging the relevant information;	*deleted*	*deleted*	*deleted*
Article 1(2), point (c)				

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	*63*	*(c)* contingency measures aiming at anticipation and planning;	*deleted*	(c) contingency measures ~~aiming at~~**for the** anticipation and planning **(Single Market contingency planning)**;	(c) contingency measures aiming at anticipation***, planning and resilience*** ~~*and planning*~~;
Article 1(2), point (d)				
G	64	(d) measures for addressing Single Market impacts of significant incidents that have not yet resulted in a Single Market emergency (Single Market vigilance), including a set of vigilance measures and	*deleted*	(d) **vigilance** measures for addressing ~~Single Market~~**the** impacts of ~~significant incidents that have not yet resulted in~~**a crisis that has the potential to escalate into** a Single Market emergency ~~(Single Market vigilance), including a set of~~**within the next six months (Single Market** vigilance ~~measures and~~**);**	(d) measures ~~*for addressing Single*~~***during the internal*** market ~~*impacts of significant incidents that have not yet resulted in a Single Market emergency (Single Market vigilance), including a set of vigilance measures and*~~***vigilance mode for addressing the impacts of a crisis that has the potential to escalate into an internal market emergency;***
Article 1(2), point (e)				
G	65	(e) measures for addressing Single Market emergencies, including a set of emergency response measures.	*deleted*	(e) measures for addressing Single Market emergencies, including– a set of emergency response measures- **(Single Market Emergency), including re-establishing and facilitating the free movement of goods, services and persons, including workers, during Single Market Emergency mode;**	(e) measures***, during the internal market emergency mode,*** for addressing ~~*Single*~~***a crisis on the internal*** market***, including facilitating the free movement of goods, services and persons*** ~~*emergencies*~~, including ~~*– a set of*~~ ***workers, during internal market*** emergency ~~*response measures.*~~***mode;***
Article 1(2), point (ea)				

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65a			**(ea) procurement of goods and services of critical importance and crisis-relevant goods and services by the Commission on behalf of Member States during the Single Market vigilance and emergency modes.**	***(ea) rules on public procurement during the internal market vigilance and emergency modes;***
Article 1(2), point (eb)				
65b				***(eb) rules on the provision of digital tools and the cooperation between the competent authorities.***
Article 1(3)				
66	3. Member States shall regularly exchange information on all matters falling within the scope of this Regulation among themselves and with the Commission.	*deleted*	*deleted*	*deleted*
Article 1(4)				
67	*4.* The Commission may obtain any relevant specialised and/or scientific knowledge, which is necessary for the application of this Regulation.	*deleted*	*deleted*	*deleted*
Article 2				
68	Article 2	Article 2	Article 2	Article 2

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Scope of application	Scope ~~*of application*~~	Scope of application	Scope ~~*of application*~~
Article 2(1)				
69	1. The measures set out in this Regulation apply in relation to significant impacts of a crisis on the functioning of the Single Market and its supply chains.	1. The measures set out in this Regulation apply in relation to significant impacts of a crisis on the functioning of the ~~*Single*~~***internal*** market***, without prejudice to fundamental rights, including the freedom to conduct business, as laid down in the Charter of Fundamental Rights of the European Union*** ~~*and its supply chains*~~.	1. ~~The measures set out in~~ This Regulation ~~apply in relation to significant impacts of a crisis~~**applies to goods, services and persons, including workers** on the ~~functioning of the~~ Single Market ~~and its supply chains~~.	1. ~~*The measures set out in*~~ This Regulation ~~*apply in relation to significant impacts of a crisis on the functioning of the Single*~~***applies to goods, services and persons, including workers within the internal*** market ~~*and its supply chains*~~.
Article 2(2)				
70	2. This Regulation shall not apply to the following:	2. This Regulation shall not apply to the following:	2. This Regulation shall not apply to the following:	2. This Regulation shall not apply to the following:
Article 2(2), point (a)				
71	(a) medicinal products as defined in Article 2, paragraph 2 of Directive 2001/83/EC;	(a) medicinal products as defined in Article ~~*2, paragraph*~~***1, point*** 2 of Directive 2001/83/EC ***of the European Parliament and of the Council***;	(a) medicinal products as defined in Article ~~2~~**1**, paragraph **1 point** 2 of Directive 2001/83/EC;	(a) medicinal products as defined in Article ~~*2, paragraph*~~***1, point*** 2 of Directive 2001/83/EC ***of the European Parliament and of the Council***;
Article 2(2), point (b)				
72	(b) medical devices as defined in Article 2, point (e), of Regulation	(b) medical devices as defined in Article 2, point (e), of Regulation	(b) medical devices as defined in Article 2, point (e), of Regulation	(b) medical devices as defined in Article 2, point (e), of Regulation

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	(EU) 2022/123 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2022/123 of the European Parliament and of the Council of 25 January 2022 on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices, OJ L 20, 31.1.2022, p. 12.	(EU) 2022/123 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2022/123 of the European Parliament and of the Council of 25 January 2022 on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices, OJ L 20, 31.1.2022, p. 12.	(EU) 2022/123 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2022/123 of the European Parliament and of the Council of 25 January 2022 on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices, OJ L 20, 31.1.2022, p. 12.	(EU) 2022/123 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2022/123 of the European Parliament and of the Council of 25 January 2022 on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices, OJ L 20, 31.1.2022, p. 12.
Article 2(2), point (c)				
73	(c) other medical countermeasures as defined in Article 3, point (8), of Regulation (EU) …/… on Serious Cross-Border Threats to Health [the SCBTH Regulation] [1] and included in the list established in accordance with Article 6(1) of the proposal for] Council Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures [2]; 1. [reference to adopted Act to be inserted once available] 2. [reference to adopted Act to be inserted once available]	(c) other medical countermeasures as defined in Article 3, point ~~(8)~~**(10)**, of Regulation (EU) ~~…/… on Serious Cross-Border Threats to Health [the SCBTH Regulation]~~ [1] ~~and included in the list established in accordance with Article 6(1)~~ **2022/2371 of the European Parliament and** of the ~~proposal for]~~ Council ~~Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures~~ [2][1a]; ~~1. [reference to adopted Act to be inserted once available]~~ ~~2. [reference to adopted Act to be inserted once available]~~ **1a. Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU (OJ L 314, 6.12.2022, p. 26).**	(c) other medical countermeasures as defined in Article 3, point (8), of Regulation (EU) …/… on Serious Cross-Border Threats to Health [the SCBTH Regulation] [1] and included in the list established in accordance with Article 6(1) of the proposal for] Council Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures [2]; 1. [reference to adopted Act to be inserted once available] 2. [reference to adopted Act to be inserted once available]	(c) other medical countermeasures as defined in Article 3, point ~~(8)~~**(10)**, of Regulation (EU) ~~…/… on Serious Cross-Border Threats to Health [the SCBTH Regulation]~~ [1] ~~and~~ **2022/2371 of the European Parliament and the Council[1a] and included in the list established in accordance with Article 7(1)of Council Regulation (EU) 2022/2372[1];** **DLA to check references** **1a**~~included in the list established in accordance with Article 6(1) of the proposal for] Council~~ Regulation (EU) ~~…/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures~~ [2]~~;~~**2022/2371 of the European Parliament and of the Council of 23 November 2022 on**

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				serious cross-border threats to health and repealing Decision No 1082/2013/EU (OJ L 314, 6.12.2022, p. 26). ***2 [reference to adopted Act to be inserted]*** ~~*1. [reference to adopted Act to be inserted once available]*~~ ~~*2. [reference to adopted Act to be inserted once available]*~~
Article 2(2), point (d)				
G 74	(d) semiconductors as defined in Article 2(1) of the Regulation of the Council and of the European Parliament establishing a framework of measures for strengthening Europe's semiconductor ecosystem (Chips Act)[1]; 1. [reference to adopted Act to be inserted once available]	(d) semiconductors as defined in Article 2(1) of the Regulation of the Council and of the European Parliament establishing a framework of measures for strengthening Europe's semiconductor ecosystem (Chips Act)[1]; 1. [reference to adopted Act to be inserted once available]	(d) semiconductors as defined in Article 2(1) of the Regulation of the Council and of the European Parliament establishing a framework of measures for strengthening Europe's semiconductor ecosystem (Chips Act)[1]; 1. [reference to adopted Act to be inserted once available]	(d) semiconductors as defined in Article ~~*2(1) of the Regulation of the Council and*~~***2, point (1) of Regulation EU) 2023/1781*** of the European Parliament ~~*establishing a framework of measures for strengthening Europe's semiconductor ecosystem (Chips Act)*~~***and of the Council*** [1]; G 1. ~~*[reference to adopted Act to be inserted once available]*~~***Regulation (EU) 2023/1781 of the European Parliament and of the Council of 13 September 2023 establishing a framework of measures for strengthening Europe's semiconductor ecosystem and amending Regulation (EU) 2021/694 (Chips Act) (OJ L 229, 18.9.2023, p. 1)***
Article 2(2), point (e)				
G 75	(e) energy products as defined in Article 2, paragraph 1, of Directive	(e) energy products as defined in Article 2, paragraph 1, of Directive	(e) energy products as defined in Article 2, paragraph 1, of Directive	(e) energy products as defined in Article 2, paragraph 1, of Directive G

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	2003/96/EC[1], electricity as defined in Article 2, paragraph 2 of that Directive and other products as referred to in Article 2, paragraph 3, of that Directive. 1. OJ L 283, 31.10.2003, p. 51.	2003/96/EC[1], electricity as defined in Article 2, paragraph 2 of that Directive and other products as referred to in Article 2, paragraph 3, of that Directive. 1. OJ L 283, 31.10.2003, p. 51.	2003/96/EC[1], electricity as defined in Article 2, paragraph 2 of that Directive and other products as referred to in Article 2, paragraph 3, of that Directive. 1. OJ L 283, 31.10.2003, p. 51.	2003/96/EC[1], electricity as defined in Article 2, paragraph 2 of that Directive and other products as referred to in Article 2, paragraph 3, of that Directive~~.~~**;** 1. OJ L 283, 31.10.2003, p. 51.
Article 2(2), point (f)				
76	(f) financial services, such as banking, credit, insurance and re-insurance, occupational or personal pensions, securities, investment funds, payment and investment advice, including the services listed in Annex I to Directive 2013/36, as well as settlement and clearing activities and advisory, intermediation and other auxiliary financial services.	(f) financial services, such as banking, credit, insurance and re-insurance, occupational or personal pensions, securities, investment funds, payment and investment advice, including the services listed in Annex I to Directive ~~2013/36~~***2013/36/EU***, as well as settlement and clearing activities and advisory, intermediation and other auxiliary financial services.	(f) financial services, such as banking, credit, insurance and re-insurance, occupational or personal pensions, securities, investment funds, payment and investment advice, including the services listed in Annex I to Directive 2013/36, as well as settlement and clearing activities and advisory, intermediation and other auxiliary financial services.	(f) financial services, such as banking, credit, insurance and re-insurance, occupational or personal pensions, securities, investment funds, payment and investment advice, including the services listed in Annex I to Directive ~~2013/36~~***2013/36/EU***, as well as settlement and clearing activities and advisory, intermediation and other auxiliary financial services~~.~~**;**
Article 2(2), point (fa)				
76a			**(g) defence-related products as defined in Article 3 paragraph 1 of Directive 2009/43/EC of the European Parliament and the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community, or as defined by national legislation in the Member States.**	***(g) defence-related products as defined in Article 3 paragraph 1 of Directive 2009/43/EC of the European Parliament and the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community or as defined by national law of Member States in compliance of Union law;***

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Article 2(3)				
77	3. By way of derogation from paragraph 2, points (a), (b) and (c), Articles 16 to 20 and Article 41 of this Regulation shall apply to the products referred to in those points.	3. By way of derogation from paragraph 2, points (a), (b) and (c), Articles 16 to 20 and ~~*Article 41 of this Regulation*~~***Articles 41 to 41c*** shall apply to the products referred to in those points.	3. By way of derogation from paragraph 2, points (a), (b) and (c), Articles 16 to ~~20~~**18, Articles 13 to 15 only for the purposes of Articles 16 to 18**, and Article 41 of this Regulation shall apply to the products referred to in those points.	3. By way of derogation from paragraph 2, points (a), (b) and (c), Articles 16 to ~~*20*~~***19*** and Article 41 ~~*of this Regulation*~~ shall apply to the products referred to in those points.
Article 2(3a)				
77a		***3a. This Regulation is without prejudice to the Integrated Political Crisis Response arrangements set out in Council Implementing Decision (EU) 2018/1993.***		*deleted*
Article 2(4)				
78	*4.* This Regulation is without prejudice to the Union Civil Protection Mechanism set out in Decision 1313/13/EU and the general plan on crisis management in the area of food and feed in accordance with Regulation (EC) No 178/2002.	4. This Regulation is without prejudice to the Union Civil Protection Mechanism set out in Decision 1313/13/EU and the general plan on crisis management in the area of food and feed in accordance with Regulation (EC) No 178/2002.	4. This Regulation is without prejudice to ~~the~~**other** Union ~~Civil Protection Mechanism set out in Decision 1313/13/EU and the general plan on crisis management in the area of food and feed in accordance with Regulation (EC) No 178/2002.~~**legal acts regulating other aspects than the subject-matter of this Regulation or specifying and complementing this Regulation, in particular the following:**	4. ***This Regulation is without prejudice to other legal acts of the Union laying down specific rules on crisis response or crisis management, such as:*** ***(a) Union*** ~~*This Regulation is without prejudice to the Union*~~ Civil Protection Mechanism set out in Decision 1313/13/EU ***(b) Regulation (EU) 2015/479 of the European Parliament and of the Council***

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				(c) Regulation (EU) 2022/2371 on serious cross-border threats to health, the HERA ~~*and the general plan on*~~ Crisis ~~*management in the area of food and feed in accordance with Regulation (EC*~~***Regulation (EU) 2022/2372*** ***(d) the Integrated Political Crisis Response (IPCR) arrangements operated by the Council under Council Implementing Decision (EU) 2018/1993 and Council Decision 2014/415/EU establishing the Integrated Political Crisis Response (IPCR***) ~~*No 178/2002*~~***arrangements including the political coordination role of the IPCR***.
Article 2(4), point (a)				
78a			**(a) the overall coordination role of the Emergency Response Coordination Center under the Union Civil Protection Mechanism and other elements of the Union Civil Protection Mechanism set out in Decision No 1313/2013/EU;**	*deleted*
Article 2(4), point (b)				
78b			**(b) the general plan on crisis management in the area of food and feed in accordance with**	*deleted*

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			Regulation (EC) No 178/2002;	
Article 2(4), point (c)				
78c			**(ba) the Integrated Political Crisis Response mechanism (IPCR) operated by the Council under Council Implementing Decision (EU) 2018/1993 and Council Decision 2014/415/EU establishing the Integrated Political Crisis Response Arrangements including the political coordination role of the IPCR;**	*deleted*
Article 2(4), point (d)				
78d			**(c) the rules applicable to the notification of temporary reintroduction of controls at internal border under Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code);**	*deleted*
Article 2(4), point (e)				
78e			**(d) the possibility of the Commission to assess whether it is appropriate to impose restrictions to exports of goods in line with the**	*deleted*

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			international rights and obligations of the Union under Regulation (EU) 2015/479 of the European Parliament and of the Council[1]; **1. OJ L 83, 27.3.2015, p. 34.**	
Article 2(4), point (f)				
78f			**(e) measures taken pursuant to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007;**	*deleted*
Article 2(4), point (g)				
78g			**(f) Regulation (EU) 2022/2371 on serious cross-border threats to health, the HERA Crisis Regulation (EU) 2022/2372, the ECDC Regulation (EU) 2022/2370 and the EMA Regulation (EU) 2022/123.**	*deleted*
Article 2(5)				
79				

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	5. This Regulation is without prejudice to Union competition rules (Articles 101 to 109 TFEU and implementing regulations), including antitrust, merger and State aid rules.	5. This Regulation is without prejudice to Union competition rules ~~*(Articles 101 to 109 TFEU and implementing regulations)*~~, including antitrust, merger and State aid rules.	5. This Regulation is without prejudice to Union competition rules (Articles 101 to 109 TFEU and implementing regulations), including antitrust, merger and State aid rules.	5. This Regulation is without prejudice to Union competition rules ~~*(Articles 101 to 109 TFEU and implementing regulations)*~~, including antitrust, merger and State aid rules.
Article 2(5a)				
79a			**5a. This Regulation is without prejudice to Articles 55 to 57 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, implemented by Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed.**	*deleted*
Article 2(6)				
80	*6.* This Regulation is without prejudice to the Commission:	6. This Regulation is without prejudice to ***Union law on the protection of personal data, in particular Regulations (EU) 2016/679 and (EU) 2018/1725 and Directive 2002/58/EC.*** ~~*the Commission:*~~	*deleted*	*deleted*

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Article 2(6), point (a)				
81	*(a)* entering into consultations or cooperation, on behalf of the Union, with relevant third countries, with particular attention paid to developing countries, with a view to seeking cooperative solutions to avoid supply chain disruptions, in compliance with international obligations. This may involve, where appropriate, coordination in relevant international fora; or	*deleted*	*deleted*	*deleted*
Article 2(6), point (b)				
82	*(b)* assessing whether it is appropriate to impose restrictions to exports of goods in line with the international rights and obligations of the Union under Regulation (EU) 2015/479 of the European Parliament and of the Council [1]. _____ 1. OJ L 83, 27.3.2015, p. 34.	*deleted*	*deleted*	*deleted*
Article 2(6), point (ba)				
82a		***6a. This Regulation shall not in any way affect the exercise of fundamental rights as recognised by the Member States and at Union level, including the right to strike or***		*deleted*

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		the right to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and practice. It also should not affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and practice.	PUBLIC	
Article 2(7)				
83	*7.* Any actions under this Regulation shall be consistent with Union's obligations under international law	*deleted*	7. Any actions under this Regulation shall be consistent with Union's obligations under international law**.**	*deleted*
Article 2(8)				
84	*8.* This Regulation is without prejudice to the responsibility of the Member States to safeguard national security or their power to safeguard essential state functions, including ensuring the territorial integrity of the State and maintaining law and order.	*deleted*	8. This Regulation is without prejudice to the responsibility of the Member States to safeguard national security or their power to safeguard essential state functions, including ensuring the territorial integrity of the State and maintaining law and order. **In particular, national security remains the sole responsibility of each Member State.**	8. This Regulation is without prejudice to the responsibility of the Member States to safeguard national security or their power to safeguard essential state functions, including ensuring the territorial integrity of the State and maintaining law and order. ***In particular, national security remains the sole responsibility of each Member State.***
Article 2(8a)				
84a				

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			8a. This Regulation shall not be interpreted as affecting the exercise of fundamental rights, such as the right to environmental protection and the right of collective action, including strike action, in accordance with the Charter of Fundamental Rights of the European Union (the 'Charter').	***8a. This Regulation shall not affect the exercise of fundamental rights, in accordance with the Charter of Fundamental Rights of the European Union (the 'Charter'). In particular the right to strike or the right to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and practice. It also shall not affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and practice.***
Article 2(8b)				
84b			**8b. This Regulation does not affect Member States' own emergency stocks and compulsory stockpiling subject to national strategic documents.**	*deleted*
Article 3				
85	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions
Article 3, first paragraph				
86	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:

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Article 3, first paragraph, point (1)				
87	(1) 'crisis' means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union;	(1) 'crisis' means an exceptional ~~*unexpected and sudden*~~, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union***,*** ***which has a detrimental impact on the free movement of goods, services or persons in the internal market***;	(1) 'crisis' means an exceptional**,** unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union **which has or may have a severe negative impact on the functioning of the Single Market and disrupts, or severely disrupts, the free movement of goods, services and persons, and its supply chains**;	(1) 'crisis' means an exceptional***,*** unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union ***which has or may have a severe negative impact on the functioning of the internal market and disrupts the free movement of goods, services and persons or its supply chains***;
Article 3, first paragraph, point (2)				
88	(2) 'Single Market vigilance mode' means a framework for addressing a threat of significant disruption of the supply of goods and services of strategic importance and which has the potential to escalate into a Single Market emergency within the next six months;	(2) '~~*Single*~~***internal*** market vigilance mode' means a framework for addressing ~~*a*~~***the*** threat of ***a crisis leading to a*** significant disruption of the supply of goods and services of ~~*strategic*~~***critical*** importance and which has the potential to escalate into ~~*a Single*~~***an internal*** market emergency within the next six months;	(2) 'Single Market vigilance~~ mode~~' ~~means a framework for addressing a~~ **' refers to situation where there is a** threat of **a crisis with a** significant ~~disruption of the~~ **negative impact on the free movement of goods, services and persons or the disruption of** supply of goods and services of ~~strategic~~**critical** importance ~~and~~**caused by an imminent crisis** which has the potential to escalate into a Single Market emergency within the next six months;	(2) ***'internal*** ~~*'Single*~~ market vigilance mode' means a framework for addressing ~~*a*~~***the*** threat of ~~*significant disruption of the supply of goods and services of strategic importance and*~~***a crisis,*** which has the potential to escalate into ~~*a Single*~~***an internal*** market emergency within the next six months;
Article 3, first paragraph, point (3)				
89	(3) 'Single Market emergency' means a wide-ranging impact of a	(3) '~~*Single*~~***internal*** market emergency ***mode*** ' means a	(3) 'Single Market emergency' means a ~~wide-ranging impact of a~~	(3) '~~*Single*~~***internal*** market emergency ***mode*** ' means a ~~*wide-*~~

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	crisis on the Single Market that severely disrupts the free movement on the Single Market or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;	***framework for addressing a significant*** wide-ranging impact of a crisis on the ~~*Single*~~***internal*** market that severely disrupts the free movement ~~*on the Single Market*~~***of goods, services or persons,*** or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the ~~*Single*~~***internal*** market;	~~crisis~~**crisis with significant negative impact** on the Single Market that severely disrupts the free movement **of goods, services and persons** on the Single Market or the functioning of the supply chains ~~that are indispensable in the maintenance of vital societal or economic activities in the Single Market~~**of crisis-relevant goods and services where such a severe disruption has been or is likely to be subject to divergent national measures**;	~~*ranging impact of*~~***framework for addressing*** a crisis ***with significant negative impact*** on the ~~*Single*~~***internal*** market that severely disrupts the free movement ~~*on the Single Market or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market*~~***of goods, services and persons or, where such a severe disruption has been or is likely to be subject to divergent national measures, the functioning of the supply chains***;
Article 3, first paragraph, point (4)				
90	(4) 'strategically important areas' means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;	(4) '~~*strategically*~~***critically*** important areas' means ~~*those areas with*~~***areas that are of*** critical importance to the Union and its Member States~~*, in that they*~~ ***and that*** are of systemic and vital importance for public security, public safety, public order ~~*or*~~**,** public health ***or the environment***, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the ~~*Single*~~***internal*** market***, in particular on the free movement of goods, services or persons***;	(4) 'strategically important areas' means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for **upholding** public security, public safety, public order or public health, and ~~the~~**if there is a** disruption, failure, loss or destruction of ~~which would~~**goods or services of critical importance in this area, it can** have a significant **negative** impact on the functioning of the Single Market **in times of an imminent crisis as defined under the Single Market vigilance**;	(4) '~~*strategically*~~***critically*** important areas' means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for ***upholding*** public security, public safety, public order or public health, and ~~*the*~~***if there is a*** disruption, failure, loss or destruction of which ~~*would*~~***it can*** have a significant ***negative*** impact on the functioning of the ~~*Single*~~***internal*** market ***in times of a threat of a crisis***;
Article 3, first paragraph, point (5)				

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91	(5) 'goods and services of strategic importance' means goods and services that are indispensable for ensuring the functioning of the Single Market in strategically important areas and which cannot be substituted or diversified;	(5) 'goods***, services and workers of critical*** ~~*and services of strategic*~~ importance' means goods***, services and categories of workers*** ~~*and services*~~ that are indispensable for ensuring the functioning of the ~~*Single*~~***internal*** market in ~~*strategically*~~***critically*** important areas and which cannot be substituted or***, where relevant,*** diversified;	(5) 'goods and services of ~~strategic~~**critical** importance' means goods and services that are **non-substitutable, non-diversifiable and** indispensable ~~for ensuring the~~**in the maintenance of vital societal or economic activities as to ensure the proper** functioning of the Single Market **and its supply chains** in strategically important areas ~~and which cannot be substituted or diversified~~**in times of an imminent crisis as defined under the Single Market vigilance** ;	(5) 'goods and services of ~~*strategic*~~***critical*** importance' means goods and services that are ***non-substitutable, non-diversifiable or*** indispensable ~~*for ensuring the functioning of the Single Market in strategically important areas and which cannot be substituted or diversified*~~***in the maintenance of vital societal or economic activities in order to ensure the proper functioning of the internal market and its supply chains in critically important areas***;
Article 3, first paragraph, point (6)				
92	(6) 'crisis-relevant goods and services' means goods and services that are indispensable for responding to the crisis or for addressing the impacts of the crisis on the Single Market during a Single Market emergency ;	(6) 'crisis-relevant goods and services' means goods and services that are indispensable for responding to the crisis or for addressing the impacts of the crisis on the ~~*Single*~~***internal*** market during ~~*a Single*~~***an internal*** market emergency ;	(6) 'crisis-relevant goods and services' means goods and services that are **non-substitutable, non-diversifiable and** indispensable **in the maintenance of vital or societal economic activities as to ensure the proper functioning of the Single Market and its supply chains and that are set out** for responding to the crisis or for addressing the ~~impacts of the crisis~~**significant negative impacts** on the Single Market during a **crisis as defined under the** Single Market emergency ;	(6) 'crisis-relevant goods and services' means goods and services that are ~~*indispensable for responding to the crisis or for addressing the impacts*~~***non-substitutable, non-diversifiable or indispensable in the maintenance of vital or societal economic activities in order to ensure the proper functioning*** of the ~~*crisis on the Single Market during a Single Market emergency*~~***internal market, including the functioning of its supply chains and that are considered essential for responding to a crisis***;
Article 3, first paragraph, point (6a)				

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92a				*deleted*
Article 3, first paragraph, point (7)				
93	*(7)* 'strategic reserves' means a stock of goods of strategic importance for which building a reserve may be necessary to prepare for a Single Market emergency, under the control of a Member State.	(7) 'strategic reserves' means a stock of goods of ~~*strategic*~~***critical*** importance ***under the control of a Member State*** for which building a reserve may be necessary to prepare for ~~*a Single*~~***an internal*** market emergency~~*, under the control of a Member State*~~.	*deleted*	*deleted*
Article 3, first paragraph, point (7a)				
93a			**(7a) 'significant incidents' means incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the Single Market and its supply chains;**	***(7a) 'significant incidents' means incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the internal market and its supply chains;***
Article 3, first paragraph, point (7b)				
93b			**(7b) 'relevant economic operator' means economic operators that have the production, or distribution ability or capacity of goods and services of critical importance or crisis-relevant goods and services or goods or services, including their inputs,**	***(7b) 'relevant economic operator' means an economic operator along the supply chain that has the ability or capacity to produce or distribute any of the following:*** ***(a) goods and services of critical importance;***

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			along the supply chain;	***(b) crisis-relevant goods or services; (c) components for the goods referred to in point (a) and (b);***
Title II				
94	Title II Governance	Title II Governance	Title II Governance	Title II Governance
Article 4				
95	Article 4 Advisory group	Article 4 ~~*Advisory group*~~***Internal Market Emergency and Resilience Board***	Article 4 ~~Advisory group~~**Single Market Emergency Board**	Article 4 ~~*Advisory group*~~***Internal Market Emergency and Resilience Board***
Article 4(1)				
96	1. An advisory group is established.	1. An ~~*advisory group*~~***Internal Market Emergency and Resilience Board (the Board)*** is established.	1. ~~An advisory group~~**A Single Market Emergency Board** is established**, hereinafter the Board**.	1. An ~~*advisory group*~~***Internal Market Emergency and Resilience Board (the 'Board')*** is established.
Article 4(2)				
97	2. The advisory group shall be composed of one representative from each Member State. Each Member State shall nominate a representative and an alternate representative.	2. The ~~*advisory group*~~***Board*** shall be composed of one representative from each Member State ***and one expert appointed by the European Parliament***. Each Member State shall nominate a representative and an alternate representative.	2. The ~~advisory group~~**Board** shall be composed of one representative from each Member State **and one representative from the Commission**. Each Member State shall ~~nominate~~**appoint** a representative and an alternate representative. **In addition, Member States may appoint a sector-specific ad hoc**	2. The ~~*advisory group*~~***Board*** shall be composed of one representative from each Member State ***and one representative from the Commission***. Each Member State shall ~~*nominate*~~***appoint*** a representative and an alternate representative. ***In addition, Member States may appoint a sector-specific ad hoc representative if this is***

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			representative if this is appropriate depending on the nature of the crisis.	***appropriate depending on the nature of the crisis.***
Article 4(3)				
98	3. The Commission shall chair the advisory group and ensure its secretariat. The Commission may invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area[1], representatives of economic operators, stakeholder organisations, social partners and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group. _____ 1. OJ L 1, 3.1.1994, p. 3.	3. The Commission shall chair the ~~*advisory group and ensure*~~***Board and provide*** its secretariat. ~~*The Commission may invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area[1], representatives of economic operators, stakeholder organisations, social partners and experts, to attend meetings*~~***Where appropriate, the Commission may establish standing or temporary sub-groups*** of the ~~*advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group*~~***Board for the purpose of examining specific questions***. _____ ~~*1. OJ L 1, 3.1.1994, p. 3.*~~	3. The Commission **representative** shall chair the ~~advisory group~~**Board** and ensure its secretariat. The Commission **representative** may invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area[1], representatives of economic operators, stakeholder organisations, social partners and experts, to attend **specific** meetings of the ~~advisory group~~**Board** as observers**, where such attendance is relevant considering the agenda of the meeting**. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the ~~advisory group.~~**Board.** _____ 1. OJ L 1, 3.1.1994, p. 3.	3. The Commission shall chair the ~~*advisory group and ensure*~~***Board and provide*** its secretariat. ~~*The Commission may*~~ ***The Chair shall*** invite a representative ~~*of*~~***from*** the European Parliament~~*, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area[1], representatives of economic operators, stakeholder organisations, social partners and*~~ ***as a permanent observer to the Board.*** ***The Chair may invite experts with specific expertise to take part, as observers, in the work of the Board and to attend specific meetings, on an ad-hoc basis, where such attendance is relevant considering the agenda of the meeting. Such*** experts~~*, to attend meetings of the advisory group as observers*~~ ***may include representatives of economic operators, stakeholder organisations and social partners***. ***The Chair*** ~~*It*~~ shall invite the

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				representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the ~~*advisory group*~~***Board.***
				The Chair shall invite representatives of international organisations and third countries in meetings of the Board in accordance with the relevant bilateral or international agreements.
				Observers shall not have voting rights and shall not participate in the formulation of opinions, recommendations or advice of the Board. Where appropriate, the Chair may invite those observers to contribute with information and insights.
				~~*1. OJ L 1, 3.1.1994, p. 3.*~~
Article 4(3a)				
98a		***3a. The Commission shall invite representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the Board, as well as representatives of third countries or international organisations, in accordance with bilateral or international agreements. Where relevant, the Commission shall also***		*deleted*

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		invite organisations representing interested parties, in particular representatives of economic operators, stakeholder organisations and social partners, to attend the meetings of the Board as observers. The Commission may also invite experts with a specific competence in a crisis-relevant subject to participate in the work of the Board on an ad hoc basis.	PUBLIC	
Article 4(3b)				
G *98b*			**3a. The Board shall meet at least three times a year. At its first meeting, on a proposal by and in agreement with the Commission, the Board shall adopt its rules of procedure.**	***3a. The Board shall meet at least three times a year. At its first meeting, on a proposal by and in agreement with the Commission, the Board shall adopt its rules of procedure.*** G
Article 4(3c)				
G 98c		***3b. The Board may adopt opinions, recommendations or reports, which shall be made publicly available, without prejudice to personal data or trade secrets. The Commission shall take utmost account of opinions, recommendations or reports of the Board in a transparent manner.***		*deleted* G
Article 4(3d)				

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	98d		**3b. The Board may adopt opinions, recommendations or reports in the context of its tasks set out in Article 4a. The Commission shall in a transparent manner take the utmost account of opinions, recommendations or reports by the Board.**	***3b. The Board may adopt opinions, recommendations or reports in the context of its tasks set out in Article 4a. The Commission shall in a transparent manner take the utmost account of opinions, recommendations or reports by the Board.***
Article 4(4)				
	99	4. For the purpose of contingency planning under Articles 6 to 8, the advisory group shall assist and advise the Commission as regards the following tasks:	4. ***In order to strengthen the resilience of the internal market,*** for the purpose of contingency planning under Articles 6 to 8, the ~~*advisory group*~~***Board*** shall assist and advise the Commission as regards the following tasks:	41. **Article 4a** **Tasks of the Board** **1.** For the purpose of contingency planning under Articles 6 to 8, the ~~advisory group~~**Board** shall assist and advise the Commission as regards the following tasks:	~~*4.*~~ ***Article 4a*** ***Tasks of the Board*** ***1.*** For the purpose of contingency planning under Articles 6 to 8, the ~~*advisory group*~~***Board*** shall assist and advise the Commission as regards the following tasks:
Article 4(4), point (a)				
	100	(a) proposing arrangements for administrative cooperation between the Commission and the Member States at the time of the Single Market vigilance and emergency modes that would be contained in the crisis protocols;	(a) proposing arrangements for administrative cooperation between the Commission and the Member States at the time of the ~~*Single*~~***internal*** market vigilance and emergency modes that would be contained in the crisis protocols ***referred to in Article 6***;	(a) proposing arrangements for administrative cooperation **to facilitate the exchange of information** between the Commission and the Member States at the time of the ~~*Single*~~***internal*** market vigilance and~~–~~ emergency modes that would be contained in the ~~crisis protocols~~**contingency framework**; **and**	(a) proposing arrangements for administrative cooperation ***to facilitate the exchange of information*** between the Commission and the Member States at the time of the ~~*Single*~~***internal*** market vigilance and~~–~~ emergency modes that would be contained in the ~~*crisis protocols*~~***contingency framework referred to in Article 6***;
Article 4(4), point (b)				

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101	(b) assessingment of significant incidents that the Member States have alerted the Commission to.	(b) ~~*assessingment of significant*~~***assessing*** incidents that the Member States ***or other relevant stakeholders*** have alerted the Commission to~~.~~ ***in accordance with in Article 8 and their impact on the free movement of goods, services and persons, including workers;***	(b) ~~assessingment of significant~~**assessing** incidents that the Member States have alerted the Commission **pursuant to Article 8**~~to~~.	(b) ~~*assessingment of significant*~~***assessing*** incidents that the Member States have alerted the Commission ***in accordance with in Article 8 and their impact on the internal market and its supply chains;*** ~~*to.*~~
Article 4(4), point (ba)				
101a		***(ba) recommending Member States to build a reserve of critical goods in order to prepare for an internal market emergency, taking into account the probability and impact of shortages;***		*deleted*
Article 4(4), point (bb)				
101b		***(bb) gathering foresight on the possibility of a crisis occurring, conducting data analysis and providing market intelligence;***		***(bb) gathering foresight on the possibility of a crisis occurring, conducting data analysis and providing market intelligence;***
Article 4(4), point (bc)				
101c		***(bc) consulting the representatives of economic operators, including SMEs, and representative organisations, as well as, where relevant, social partners, in order to collect market intelligence;***		***(bc) consulting the representatives of economic operators, including SMEs, and the industry, as well as, where relevant, social partners, in order to collect market intelligence in line with Article 40a;***

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Article 4(4), point (bd)				
101d		***(bd) analysing aggregated data received by other crisis-relevant bodies at Union and international level;***		***(bd) analysing aggregated data received by other crisis-relevant bodies at Union and international level;***
Article 4(4), point (be)				
101e		***(be) maintaining a repository of national and Union crisis measures that have been used in previous crises and that have had an impact on the internal market and its supply chains;***		***(be) maintaining a repository of national and Union crisis measures that have been used in previous crises and that have had an impact on the internal market and its supply chains;***
Article 4(4), point (bf)				
101f		***(bf) taking measures to strengthen the internal market's resilience in accordance with this Regulation, such as organising trainings and simulations, and identifying relevant economic operators and supply chains as part of stress tests.***		***(bf) advising on the identification and implementation of the measures chosen to anticipate and plan, while strengthening the internal market's resilience, in accordance with Articles 6 to 8.***
Article 4(5)				
102	5. For the purpose of of the Single Market vigilance mode as referred to in Article 9, the advisory group shall assist the Commission in the	5. For the purpose of ~~of the Single~~***the internal*** market vigilance mode as referred to in Article 9, the ~~advisory group~~***Board*** shall assist the	~~5~~**2**. For the purpose of ~~of~~ the Single Market vigilance mode as referred to in Article 9, the ~~advisory group~~**Board** shall assist **and advise**	~~5~~***2***. For the purpose of ~~of the Single~~***the internal*** market vigilance mode as referred to in Article 9, the ~~advisory group~~***Board*** shall assist

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	following tasks:	Commission in the following tasks:	the Commission in the following tasks:	***and advise*** the Commission in the following tasks:
Article 4(5), point (a)				
103	(a) establishing whether the threat referred to in Article 3(2) is present, and the scope of such threat;	(a) establishing whether the ***criteria are present for the activation or deactivation of the vigilance mode and in particular the*** threat referred to in Article 3(2) ~~*is present*~~, and the scope of such threat;	(a) establishing whether the **crisis** threat referred to in Article 3(2) is present, and the scope of such threat;	(a) establishing whether the ***criteria for activation or deactivation of the vigilance mode have been fulfilled in order to determine whether the crisis*** threat referred to in Article 3(2) is present, and the scope of such threat;
Article 4(5), point (b)				
104	(b) gathering foresight, data analysis and market intelligence;	*deleted*	*(b)* gathering foresight, data analysis and market intelligence;	*deleted*
Article 4(5), point (c)				
105	*(c)* consulting the representatives of economic operators, including SMEs, and industry to collect market intelligence;	*deleted*	(c) consulting the representatives of economic operators, including SMEs, **social partners** and industry to collect market intelligence **in line with Article 40a**;	*deleted*
Article 4(5), point (d)				
106	*(d)* analysing aggregated data received by other crisis-relevant bodies at Union and international level;	*deleted*	*(d)* analysing aggregated data received by other crisis-relevant bodies at Union and international level;	*deleted*

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Article 4(5), point (e)				
107	*(e)* facilitating exchanges and sharing of information, including with other relevant bodies and other crisis-relevant bodies at Union level, as well asthird countries, as appropriate, with particular attention paid to developing countries, and international organisations;	(e) facilitating exchanges and sharing of information, including with other relevant bodies and other crisis-relevant bodies at Union level, as well ~~*asthird*~~***as third*** countries, as appropriate, with particular attention paid to developing countries, and international organisations;	(e) **coordinating and** facilitating exchanges and sharing of information, including with other relevant bodies and other crisis-relevant bodies at Union level **and in Member States**, as well ~~asthird~~**as third** countries, as appropriate, with particular attention paid to developing countries, and international organisations;	(e) ***coordinating and*** facilitating exchanges and sharing of information, including with other relevant bodies and other crisis-relevant bodies at Union level ***and in Member States***, as well ~~*asthird*~~***as third*** countries, as appropriate, with particular attention paid to developing countries, and international organisations;
Article 4(5), point (ea)				
107a				*deleted*
Article 4(5), point (f)				
108	*(f)* maintaining a repository of national and Union crisis measures that have been used in previous crises that have had an impact on the Single Market and its supply chains	*deleted*	(f) maintaining a repository of national and Union crisis measures that have been used in previous crises that have had an impact on the Single Market and its supply chains**; and**	*deleted*
Article 4(5), point (fa)				
108a			**(g) analysing and discussing the effect of the crisis on the Single Market, with due regard to the situation in border regions, with a view to finding possible solutions.**	***(fa) analysing and discussing the effect of the crisis on the internal market, with due regard to the situation in border regions, with a view to finding possible solutions.***

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Article 4(6)				
109	6. For the purposes of the Single Market emergency mode as referred to in Article 14, the advisory group shall assist the Commission in the following tasks:	6. For the purposes of the ~~Single~~***internal*** market emergency mode as referred to in Article 14, the ~~advisory group~~***Board*** shall assist the Commission in the following tasks:	~~6~~**3**. For the purposes of the Single Market emergency mode as referred to in Article 14, the ~~advisory group~~**Board** shall assist **and advise** the Commission in the following tasks:	~~6~~***3***. For the purposes of the ~~Single~~***internal*** market emergency mode as referred to in Article 14, the ~~advisory group~~***Board*** shall assist ***and advise*** the Commission in the following tasks:
Article 4(6), point (a)				
110	(a) analysing crisis-relevant information gathered by Member States or the Commission;	(a) analysing crisis-relevant information gathered by Member States or the Commission;	(a) analysing crisis-relevant information gathered by Member States or the Commission;	(a) analysing crisis-relevant information gathered by Member States or the Commission;
Article 4(6), point (b)				
111	(b) establishing whether the criteria for activation or deactivation of the emergency mode have been fulfilled;	(b) establishing whether the criteria for activation or deactivation of the emergency mode have been fulfilled***, based on sufficient and reliable evidence***;	(b) establishing whether the criteria for activation or deactivation of the emergency mode have been fulfilled;	(b) establishing whether the criteria for activation or deactivation of the emergency mode have been fulfilled;
Article 4(6), point (c)				
112	(c) advising on the implementation of the measures chosen to respond to Single Market emergency at Union level;	(c) advising on the implementation of the measures chosen to respond to ~~Single~~***the internal*** market emergency at Union level;	(c) advising on the **identification and** implementation of the measures chosen to respond to Single Market emergency at Union level;	(c) advising on the ***identification and*** implementation of the measures chosen to respond to ~~Single~~***internal*** market emergency at Union level;
Article 4(6), point (d)				

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113	(d) performing a review of national crisis measures;	(d) performing a review of national crisis measures;	(d) performing a review of national crisis measures;	(d) performing a review of national crisis measures;
Article 4(6), point (e)				
114	(e) facilitating exchanges and sharing of information, including with other crisis-relevant bodies at Union level, as well as, as appropriate, third countries, with particular attention paid to developing countries, and international organisations.	(e) facilitating exchanges and sharing of information, including with other crisis-relevant bodies at Union level, as well as, as appropriate, third countries, with particular attention paid to ***EFTA members, candidate countries and*** developing countries, and international organisations.	(e) **coordinating and** facilitating exchanges and sharing of information, including with other crisis-relevant bodies at Union level, as well as, as appropriate, third countries, with particular attention paid to developing countries, and international organisations~~.~~**; and**	(e) ***coordinating and*** facilitating exchanges and sharing of information, including with other crisis-relevant bodies at Union level, as well as, as appropriate, third countries, with particular attention paid to ***EFTA members, candidate countries to the EU,*** developing countries, and international organisations~~.~~***;***
Article 4a(5a), point (f)				
114a			**(f) analysing and discussing the effect of the crisis on the Single Market, with due regard to the situation in border regions, with a view to finding possible solutions**	***(ea) analysing and discussing the effect of the crisis on the internal market, with due regard to the situation in border regions, with a view to finding possible solutions; and***
Article 4(6), point (eb)				
114b				***(eb) establishing, where appropriate, a list of categories of persons involved in the production or supply of crisis-relevant goods and services for whom it is necessary to establish common***

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				templates and forms which can be used by the Member States on a voluntary basis.
Article 4(7)				
115	7. The Commission shall ensure the participation of all bodies at Union level that are relevant to the respective crisis. The advisory group shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at Union level. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM) or the EU Health Security Framework. The advisory group shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM.	7. The Commission shall ensure the participation of ***the European Parliament and of*** all bodies at Union level that are relevant to the respective crisis. The ~~*advisory group*~~***Commission shall, in particular, ensure equal access to all information, so that the European Parliament and Council receive all documents at the same time. The Board*** shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at Union level. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM) ~~*or*~~**,** the EU Health Security Framework~~.~~ ~~*The advisory group*~~***, or the mechanism under the Chips Act. The Board*** shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM.	~~7~~**4**. The Commission shall ensure the participation of all bodies at Union level that are relevant to the respective crisis. The ~~advisory group~~**Board** shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at Union level **[and the European Critical Raw Materials Board]**. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM)**, the Integrated Political Crisis Response (IPCR) Mechanism,** ~~or~~ the EU Health Security Framework~~. The advisory group~~ **[and the European critical raw materials framework]. The Board** shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM **and the Integrated Situational Awareness and Analysis (ISAA) support capability under the IPCR**.	~~*7*~~***4***. The Commission shall ensure the participation of all bodies at Union level that are relevant to the respective crisis. The ~~*advisory group*~~***Board*** shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at Union level ***and the European Critical Raw Materials Board established by Regulation (EU) .../2024[1a+]***. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM)***, the Integrated Political Crisis Response (IPCR) arrangements,*** or the EU Health Security Framework ***and the European critical raw materials framework. The Board***~~. The advisory group~~ shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM ***and the Integrated Situational Awareness and Analysis (ISAA) support capability under the IPCR.*** ***[1a] Regulation (EU) .../2024 of the***

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				European Parliament and of the Council (...)establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020. (OJ ...) ***+ OJ: Please insert in the text the number of this Regulation contained in document PE-CONS 78/23 .../... (2023/0079(COD))***.
Article 4(8)				
116	8. The advisory group shall meet at least three times a year. At its first meeting, on a proposal by and in agreement with the Commission, the advisory group shall adopt its rules of procedure.	8. The ~~*advisory group*~~***Board*** shall meet at least three times a year. At its first meeting, ~~*on a proposal by and in agreement with the Commission, the advisory group*~~***the Board*** shall adopt its rules of procedure.	*deleted*	*deleted*
Article 4(8a)				
116a		***8a. The Board shall, in cooperation with the Commission, adopt annually its activity report and transmit it to the European Parliament and the Council.***		***4a. The Board shall, in cooperation with the Commission, adopt annually its activity report and transmit it to the European Parliament and the Council.***
Article 4(9)				
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	9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6.	*deleted*	*deleted*	*deleted*
Article 4a (new)				
117a		***Article 4a Emergency and Resilience Dialogue***		***Article 4a Emergency and Resilience Dialogue***
Article 4a(1)				
117b		***1. In order to enhance dialogue between the Union institutions, in particular the European Parliament, the Council and the Commission, and to ensure greater transparency and accountability, the European Parliament may invite its appointed expert and the Commission to discuss the following:*** ***(a) opinions, recommendations and reports adopted by the Board;*** ***(b) the outcome of the stress tests;*** ***(c) the activation of the vigilance mode, its extension and deactivation, and any measures adopted pursuant to Part III;*** ***(d) the activation of the emergency mode, its extension and deactivation and any measures***		***1. In order to enhance the dialogue between the institutions of the Union in the context of this Regulation, and to ensure greater transparency, accountability and coordination, the competent committee of the European Parliament may invite the Commission in its capacity as Chair of the Internal Market Emergency and Resilience Board to appear before the committee to provide information on all matters falling within the scope of this Regulation, in particular, after each meeting of the Board and after each deactivation of the vigilance or emergency modes.*** ***2. The European Parliament shall be informed as soon as possible of any Council implementing acts***

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		adopted pursuant Part IV; ***(e) any measures restricting the free movement of goods, services and workers;***		***proposed or adopted pursuant to this Regulation.*** ***3. The Commission shall take into account any elements arising from the views expressed through the emergency and resilience dialogue, including the relevant resolutions of the European Parliament.***
Article 4a(2)				
117c		***2. The European Parliament may invite Member States' representatives to participate in the dialogue referred to in paragraph 1.***		*deleted*
Article 4a (new)				
117d			**Article 4b** **Information sharing between the Member States and the Commission**	*deleted*
Article 4b(1)				
117e			**1. In order to better anticipate and be prepared for crisis Member States shall, during the contingency mode, and if necessary, also in Single Market vigilance or emergency mode, exchange information among themselves and with the**	*deleted*

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			Commission on matters other than those set out in Article 4a, where necessary to achieve the objectives of this Regulation.	
Article 4b(2)				
G *117f*			**2. The information exchange shall be done in an efficient and co-operative manner avoiding unnecessary administrative burden, disruptions or significant negative impacts on the functioning of the Single Market and its supply chains and with due regard to national security, national strategic reserves and confidentiality of economic operators.**	*deleted*
Article 4c				
G *117g*				***Article 4b*** ***Emergency and resilience platform***
Article 4c(1)				
G 117h				***1. The Commission shall establish a stakeholder platform in order to facilitate sector-specific dialogue and partnerships by bringing together key stakeholders, namely representatives of economic operators, social partners,***

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				researchers and civil society. In particular, that platform shall provide a functionality that allows interested stakeholders to: ***(a) indicate voluntary actions needed to successfully respond to an internal market emergency;*** ***(b) provide scientific advice, opinions or reports on crisis-related issues;*** ***(c) contribute to the exchange of information and best practices. in particular as regards the free movement of goods, services and persons and the avoidance of divergent national measures which could create cross-border restrictions;***
Article 4c(2)				
117i				***2. The Commission and the Board shall take into account the outcomes of the sector-specific dialogue and partnerships, as well as any relevant input provided by stakeholders in accordance with paragraph 1 in the implementation of this Regulation.***
Article 5				
118	Article 5 Central liaison offices	Article 5 Central liaison offices	Article 5 Central liaison offices	Article 5 Central liaison offices

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Article 5(1)				
119	1. Member States shall designate central liaison offices responsible for contacts, coordination and information exchange with the central liaison offices of other Member States and Union level central liaison office under this Regulation. Such liaison offices shall coordinate and compile the inputs from relevant national competent authorities.	1. Member States shall designate central liaison offices responsible for contacts, coordination and information exchange with the central liaison offices of other Member States and ***the*** Union level central liaison office under this Regulation. Such liaison offices shall coordinate and compile the inputs from relevant national competent authorities***, including, where relevant, at regional and local level. Such liaison offices shall also transmit all crisis-relevant information to the national single points of contact referred to in Article 21, in real time where possible***.	1. **Each** Member ~~States~~**State** shall ~~designate central liaison offices responsible for contacts, coordination and information exchange with the central liaison offices of other Member States and Union level~~**appoint a** central liaison office ~~under this Regulation. Such liaison offices shall coordinate and compile the inputs from relevant national competent authorities.~~**.**	1. ***Each*** Member ~~*States*~~***State*** shall designate ~~*central liaison offices responsible for contacts, coordination and information exchange with the central liaison offices of other Member States and Union level*~~***a*** central liaison office ~~*under this Regulation. Such liaison offices shall coordinate and compile the inputs from relevant national competent authorities*~~.
Article 5(1a)				
119a			**1a. The central liaison office shall be responsible for contacts, coordination and information exchange with the central liaison offices of other Member States and the Union level central liaison office under this Regulation**	***1a. The central liaison office of a Member State shall be responsible for contacts, coordination and information exchange with:*** ***(a) the central liaison offices of other Member States and the Union level central liaison office referred to in paragraph 2;*** ***(b) the relevant competent authorities in that Member State, in particular with the national single point of contact in Article 21.***

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				In order to perform its tasks under this Regulation, the central liaison office of a Member State shall compile input from the relevant competent authorities in that Member State.
Article 5(1b)				
119b			**1b. The central liaison office shall be responsible for contacts, coordination and information exchange with the relevant competent authorities in the Member State. In order to perform its tasks under this Regulation, the central liaison office shall compile input from the relevant competent authorities in the Member State.**	*deleted*
Article 5(2)				
120	*2.* The Commission shall designate a Union level central liaison office for contacts with the central liaison offices of the Member States during the Single Market vigilance and emergency modes under this Regulation. The Union level central liaison office shall ensure the coordination and information exchange with the central liaison offices of the Member States for the management of the Single Market	2. The Commission shall designate a Union level central liaison office for contacts with the central liaison offices of the Member States during the ~~Single~~***internal*** market vigilance and emergency modes under this Regulation***, and where applicable with other bodies at Union level that are relevant to the respective crisis***. The Union level central liaison office shall ensure the coordination and information	2. The Commission shall designate a Union level central liaison office**.** **2a. The Union level central liaison office shall be responsible** for contacts with the central liaison offices of the Member States ~~during the Single Market vigilance and emergency modes~~ under this Regulation. **2b.** The Union level central liaison	2. The Commission shall designate a Union level ~~*central*~~ liaison office ~~*for contacts with the central liaison offices of the Member States during the Single Market vigilance and emergency modes under this Regulation. The Union level central liaison office shall ensure the coordination and information exchange with the central liaison offices of the Member States for the management of the Single Market*~~

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	vigilance and emergency modes.	exchange with the central liaison offices of the Member States for the management of the ~~*Single*~~***internal*** market vigilance and emergency modes***, including as regards crisis relevant information, to be made publicly available pursuant to Article 41***.	office shall ensure the coordination and information exchange with the central liaison offices of the Member States **under this Regulation** for the management of the Single Market vigilance and emergency modes.	~~*vigilance and emergency modes*~~.
Article 5(2a)				
G 120a				***2a. The Union level liaison office shall be responsible for ensuring the coordination and information exchange with the central liaison offices of the Member States for the management of the internal market vigilance and emergency modes, including as regards crisis-relevant information.*** G
II				
G 121	II Part II	II Part II ***Internal Market contingency planning***	II Part II **Single Market contingency planning**	II Part II ***Internal market contingency planning*** G
Article 6				
G 122	Article 6 Crisis protocols	Article 6 Crisis protocols	Article 6 ~~Crisis protocols~~**Contingency framework**	Article 6 ~~*Crisis protocols*~~***Contingency framework*** G
Article 6(1)				

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123	1. The Commission taking into consideration the opinion of the advisory group and the input of relevant Union level bodies, is empowered after consulting the Member States, to adopt a delegated act to supplement this Regulation with a framework setting out crisis protocols regarding crisis cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes, in particular:	1. The Commission**,** taking ~~*into*~~***due*** consideration ***of*** the opinion of the ~~*advisory group*~~***Board*** and the input of relevant Union level bodies, ~~*is empowered*~~ after consulting the Member States, ***is empowered*** to adopt a delegated act to supplement this Regulation with a ***general*** framework setting out crisis protocols regarding crisis ***preparedness,*** cooperation, exchange of information and crisis communication for the ~~*Single*~~***internal*** market vigilance and emergency modes, ***and*** in particular ***regarding the following***:	1. The Commission taking into consideration the opinion **and the expertise** of the ~~advisory group~~**Board** and the input of relevant Union level bodies, ~~is empowered after consulting the Member States, to~~**shall** adopt a ~~delegated~~**an implementing** act to ~~supplement~~**specify** this Regulation with a **contingency** framework ~~setting out crisis protocols~~ regarding ~~crisis~~ **preparedness** cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes~~, in particular~~**. This contingency framework shall specify the modalities for**:	1. The Commission**,** taking ~~*into*~~***due*** consideration ***of*** the opinion of the ~~*advisory group*~~***Board*** and the input of relevant Union level bodies, ~~*is empowered after consulting the Member States, to*~~***may*** adopt ~~*a delegated*~~***an implementing*** act to ~~*supplement this Regulation with a framework setting out crisis protocols*~~***set out the detailed arrangements for a contingency framework*** regarding crisis ***preparedness,*** cooperation, exchange of information and crisis communication for the ~~*Single*~~***internal*** market vigilance and emergency modes~~*, in particular*~~**.** ***That implementing act shall set out the detailed arrangements for***:
Article 6(1), point (a)				
124	(a) cooperation between national and Union level competent authorities for the management of the Single Market vigilance and emergency modes in vigilance and emergency modes across the sectors of the Single Market;	(a) cooperation between national ***competent authorities, including those at local and regional level,*** and Union level competent authorities for the management of the ~~*Single*~~***internal*** market vigilance and emergency modes ~~*in vigilance and emergency modes across the sectors of the Single Market*~~;	(a) cooperation between **Member States** ~~national~~ and Union level competent authorities ~~for the management of~~ **in** the Single Market vigilance and emergency modes ~~in vigilance and emergency modes across the sectors of the Single Market~~;	(a) cooperation between ***Member States*** ~~*national*~~ and Union level competent authorities ~~*for the management of the Single*~~***in the internal*** market vigilance and emergency modes ~~*in vigilance and emergency modes across the sectors of the Single Market;*~~**;**
Article 6(1), point (b)				
125				

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	(b) general modalities for secure exchange of information;	(b) general modalities for secure exchange of information;	(b) ~~general modalities for~~ secure exchange of information; **and**	(b) ~~*general modalities for*~~ secure exchange of information; ***and***
Article 6(1), point (c)				
126	(c) a coordinated approach to risk and crisis communication also vis-à-vis the public with a coordinating role for the Commission;	(c) a coordinated approach to ~~*risk and*~~ crisis communication also vis-à-vis the public ***and relevant stakeholders, including economic operators,*** with a coordinating role for the Commission~~;~~**.**	(c) a coordinated approach to ~~risk and~~ crisis communication ~~also~~**for the Single Market vigilance and emergency modes** vis-à-vis the public with a coordinating role for the Commission;	(c) a coordinated approach to ~~*risk and crisis communication also*~~***crisis communication for the internal market vigilance and emergency modes*** vis-à-vis the public with a coordinating role for the Commission; ***stakeholders and economic operators in a recital***
Article 6(1), point (d)				
127	(d) the management of the framework.	*deleted*	*deleted*	*deleted*
Article 6(1), point (da)				
127a			**1a. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 42(2).**	***1a. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 42(2).***
Article 6(2)				
128	2. The Commission and the Member States shall put in place	2. The Commission and the Member States shall put in place	2. The Commission and the Member States shall ~~put in place~~	2. The Commission and the Member States shall ~~*put in place*~~

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	detailed administrative arrangements for ensuring timely cooperation and secure exchange of information between the Commission, the relevant Union-level bodies and the Member States concerning:	detailed administrative arrangements for ensuring timely cooperation and secure exchange of information between the Commission, the relevant Union-level bodies and the Member States concerning:	~~detailed administrative~~ **ensure** arrangements for ~~ensuring~~ timely cooperation and secure exchange of information between the Commission, the relevant Union-level bodies and the Member States concerning:	~~*detailed administrative*~~ ***ensure*** arrangements for ~~*ensuring*~~ timely cooperation and secure exchange of information between the Commission, the relevant Union-level bodies and the Member States concerning:
Article 6(2), point (a)				
G 129	(a) an inventory of relevant national competent authorities, the central liaison offices designated in accordance with Article 5 and single points of contact referred to in Article 21, their contact details, assigned roles and responsibilities during the vigilance and emergency modes of this Regulation under national law;	(a) an inventory of ~~*relevant*~~ national competent authorities, the ~~,~~ central liaison offices designated in accordance with Article 5 and ***the*** single points of contact referred to in Article 21, their contact details, assigned roles and responsibilities during the vigilance and emergency modes ~~*of*~~***under*** this Regulation***, in accordance with*** ~~*under*~~ national law;	(a) an inventory of relevant ~~national~~ competent authorities **of the Member States, the** ~~, the~~ central liaison offices designated in accordance with Article 5 and single points of contact referred to in Article 21, their contact details, assigned roles and responsibilities during the vigilance and emergency modes of this Regulation under national law;	(a) an inventory of ~~*relevant national competent authorities, the*~~ ***competent authorities of the Member States, the*** central liaison offices designated in accordance with Article 5 and ***the*** single points of contact referred to in Article 21, their contact details, assigned roles and responsibilities during the vigilance and emergency modes ~~*of*~~***under*** this Regulation***, in accordance with*** ~~*under*~~ national law; G
Article 6(2), point (b)				
G 130	(b) consultation of the representatives of economic operators and social partners, including SMEs, on their initiatives and actions to mitigate and respond to potential supply chain disruptions and overcome potential shortages of goods and services in the Single Market;	(b) consultation of the representatives of economic operators ~~*and social partners*~~, including SMEs, on their initiatives and actions to mitigate and respond to potential ~~*supply chain disruptions and overcome potential shortages of goods and services in the Single Market*~~***internal market emergencies***;	(b) consultation of the representatives of economic operators and social partners, including SMEs, on their initiatives and actions to mitigate and respond to potential supply chain disruptions and overcome potential shortages of goods and services in the Single Market;	(b) consultation of the representatives of economic operators ~~*and social partners*~~, including SMEs, on their initiatives and actions to mitigate and respond to potential ~~*supply chain disruptions and overcome potential shortages of goods and services in the Single*~~***internal*** market ***crisis***; G

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Article 6(2), point (ba)				
130a		***(ba) consultation of social partners on the implications on the free movement of workers in the areas of critical importance;***		***(ba) consultation of social partners on the implications of their initiatives and actions to mitigate and respond to a potential of the crisis on the free movement of workers;***
Article 6(2), point (c)				
131	(c) technical level cooperation in the vigilance and emergency modes across the sectors of the Single Market;	(c) technical level cooperation in the vigilance and emergency modes across the sectors of the ~~*Single*~~***internal*** market;	(c) technical level cooperation in the vigilance and emergency modes ~~across the sectors of the Single Market~~; **and**	(c) technical level cooperation in the vigilance and emergency modes ~~*across the sectors of the Single Market*~~;
Article 6(2), point (d)				
132	(d) risk and emergency communication, with a coordinating role for the Commission, adequately taking into account already existing structures;	(d) risk and emergency communication, with a coordinating role for the Commission, ~~*adequately*~~ taking into account already existing structures;	(d) risk and emergency communication, with a coordinating role for the Commission, adequately taking into account already existing structures;	(d) risk and emergency communication, with a coordinating role for the Commission, ~~*adequately*~~ taking into account already existing structures;
Article 6(3)				
132a				***3. In order to ensure the operation of the framework established in accordance with paragraph 1, the Commission may conduct stress tests, simulations and in-action and after-action reviews with Member***

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				States, and propose the relevant Union-level bodies and the Member States to update the framework as necessary
Article 6(3a)				
132b				***3a. In order to promote and facilitate the free movement of goods and services during an internal market emergency mode, the Commission shall assist Member States and coordinate their efforts in laying down single digital forms for the purpose of declaration, registration or authorisation for activities carried out between Member States***
Article 6(2), point (dc)				
132c		***2a. The Commission, taking into account the opinion of the Board, may initiate, encourage and facilitate the drawing up of voluntary crisis protocols by economic operators in order to address internal market emergencies, strictly limited to extraordinary circumstances. The Commission may, where necessary and appropriate, also involve civil society organisations or other relevant organisations in drawing up the voluntary crisis protocols.***		***Article 6a (new)*** ***Voluntary crisis protocols.*** ***1. The Board may recommend the Commission to initiate the drawing up of voluntary crisis protocols by economic operators for addressing crisis under the emergency mode.*** ***2. The Commission shall encourage and facilitate the drawing up of those voluntary crisis protocols by economic operators. Economic operators may decide, on***

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		The voluntary crisis protocols shall set out: ***(a) the specific parameters of the disruption that the voluntary crisis protocol seeks to address and the objectives it pursues;*** ***(b) the role of each participant, the preparatory measures they are to put in place and their role once the crisis protocol has been activated;*** ***(c) the procedure for determining when how the crisis protocol will operate;*** ***(d) actions to mitigate and respond to potential internal market emergencies, strictly limited to what is necessary for addressing them;*** ***(e) safeguards to address any negative effects on the free movement of goods, services and workers.***	PUBLIC	***a voluntary basis, whether to participate or not in voluntary crisis protocols.*** ***3. The voluntary crisis protocols shall set out:*** ***(a) the specific parameters of the disruption that the voluntary crisis protocol seeks to address and the objectives it pursues;*** ***(b) the role of each participant under the voluntary crisis protocol and the preparatory measures they are to put in place once the internal market emergency mode has been activated to mitigate and respond to the crisis;*** ***(c) a clear procedure for determining the moment of the activation and the period during which the measures to be taken once the crisis protocol has been activated are to be taken;*** ***(d) actions to mitigate and respond to potential crisis under the emergency mode, strictly limited to what is necessary for addressing them.*** ***4. The Commission shall, as appropriate, involve Member States' authorities, Union bodies, offices and agencies in drawing up the crisis protocols. The Commission may, where necessary***

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				and appropriate, also involve civil society organisations or other relevant organisations.
				Recital on admin burden, not in enacting terms, free movement important - in a recital on safeguards to address any negative effects on the free movement of goods, services and persons, including workers
Article 6(3)				
133	3. In order to ensure the operation of the framework referred to in paragraph 1, the Commission may conduct stress tests, simulations and in-action and after-action reviews with Member States, and propose the relevant Union-level bodies and the Member States to update the framework as necessary.	*deleted*	3. In order to ensure the operation of the framework ~~referred to in~~**established in accordance with** paragraph 1, the Commission may conduct stress tests, simulations and in-action and after-action reviews with Member States, and propose the relevant Union-level bodies and the Member States to update the framework as necessary.	*deleted*
Article 6(3a)				
133a				*deleted*
Article 7				
134	Article 7	Article 7	Article 7	Article 7

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Trainings and simulations	Trainings and simulations	Trainings and simulations	Trainings and simulations
Article 7, first paragraph				
135	The Commission shall organise the training on crisis coordination, cooperation and information exchange referred to in Article 6 for the staff of the designated central liaison offices. It shall organise simulations involving the staff of the central liaison offices from all Member States based on potential scenarios of Single Market emergencies.	***1.*** The Commission shall ~~*organise the*~~***develop and regularly organise*** training on crisis ***preparation,*** coordination, cooperation***, communication*** and information exchange ***as*** referred to in Article 6 for the staff of the designated central liaison offices ***and economic operators***. It shall organise simulations involving the staff of the central liaison offices ~~*from all Member States based on potential scenarios of Single*~~***as well as other relevant actors, including economic operators, or bodies involved in the prevention of, preparedness for and response to internal*** market emergencies.	The Commission shall **regularly** organise the training on crisis coordination, cooperation and information exchange referred to in Article 6 for the staff of the designated central liaison offices. It shall organise simulations involving the staff of the central liaison offices from all Member States based on potential scenarios of Single Market emergencies.	***1.*** The Commission shall ***develop and regularly*** organise ~~*the*~~ training on crisis ***preparation,*** coordination, cooperation and information exchange referred to in Article 6 for the staff of the designated central liaison offices. It shall organise simulations involving the staff of the central liaison offices from all Member States based on potential scenarios of ~~*Single*~~***internal*** market emergencies.
Article 7, first paragraph a				
135a		***1a. In particular, the Commission shall develop and manage a training programme derived from lessons learnt from previous crises, including aspects of the entire emergency management cycle, in order to provide a rapid response to crises. That programme shall include:***		***1a. In particular, the Commission shall develop and manage a training programme derived from lessons learnt from previous crises, including aspects of the entire emergency management cycle, in order to provide a rapid response to crises under the vigilance or emergency mode. That programme may include, in particular:***

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		(a) monitoring, analysing and evaluating all the relevant actions to facilitate the free movement of goods, services and persons; ***(b) promoting the implementation of best practices at national and Union level, and, where appropriate, best practices, developed by third countries and international organisations;*** ***(c) developing guidance on knowledge dissemination and the implementation of different tasks at national and, where relevant, regional and local level;*** ***(d) encouraging the introduction and use of relevant new technologies and digital tools for the purpose of responding to internal market emergencies.***	PUBLIC	***(a) monitoring, analysing and evaluating all the relevant actions to facilitate the free movement of goods, services and persons;*** ***(b) promoting the implementation of best practices at national and Union level, and, where appropriate, best practices, developed by third countries and international organisations;*** ***(c) developing guidance on knowledge dissemination and the implementation of different tasks at national and, where relevant, regional and local level;*** ***(d) encouraging the use of relevant new technologies and digital tools for the purpose of responding to internal market emergencies.*** ***2. The Commission shall develop and make available training programmes and materials for stakeholders, including economic operators. Where relevant, the Commission may invite stakeholders to participate in trainings and simulations.***
Article 7, third paragraph				
G	135b	***1b. At the request of a Member State facing a disruption, the Commission may deploy an expert***		***2a. At the request of a Member State, the Commission may provide advice and support on preparedness***

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		team on site to provide advice on preparedness and response measures, taking particular account of the needs and interests of that Member State.		***and response measures, taking particular account of the needs and interests of that Member State.***
Article 7a				
135c		***Article 7a Stress tests***		***Article 7a Stress tests***
Article 7a(1), first subparagraph				
135d		***1. In order to ensure the free movement and the availability of goods and services of critical importance and to anticipate, and prepare for disruptions to the internal market, the Commission, taking into consideration the opinion of the Board, shall conduct and coordinate stress tests, including simulations and peer reviews, in particular for critical sectors identified by the Commission.***		***1. The Commission, taking into consideration the opinion of the Board, shall conduct and coordinate stress tests, including simulations that aim to anticipate and prepare for a crisis in the internal market.***
Article 7a(1), second subparagraph				
135e		***In particular, the Commission shall invite staff from the central liaison offices of all Member States to participate in simulations and shall:***		***2. In particular, the Commission shall:***

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Article 7a(1), second subparagraph, point (a)				
135f		***(a) develop scenarios and parameters that capture the specific risks associated with internal market emergencies and that aim to identify vulnerabilities in critically important areas, as well as to assess the potential impact on the free movement of goods, services and persons;***		***(a) develop scenarios and parameters in a specific area that capture the particular risks associated with a crisis, in order to assess the potential impact on the free movement of goods, services and persons in that area;***
Article 7a(1), second subparagraph, point (b)				
135g		***(b) identify relevant economic operators and representative organisations, as well as other relevant actors or bodies involved in the prevention of, preparedness for and response to emergencies and invite them to participate on a voluntary basis;***		***(b) facilitate and encourage the development of strategies for emergency preparedness;*** ***Recital on strategies for preparedness including information exchange and communication of restrictions by MS***
Article 7a(1), second subparagraph, point (c)				
135h		***(c) facilitate peer reviews and encourage the development of strategies for emergency preparedness;***		***(c) identify, in cooperation with all actors involved, risk mitigation measures after the completion of the stress tests.***
Article 7a(1), second subparagraph, point (d)				
135i		***(d) identify, in cooperation with all actors involved, risk mitigation***		***3. In order to identify the specific area referred to in paragraph 2,***

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		measures after the completion of the stress tests.		***point (a), the Commission, in cooperation with the Board, shall make use of all the existing tools at its disposal, including mapping exercises.*** ***Recital on tools, taking into account criteria such as trade flows and vulnerabilities.***
Article 7a(2)				
G 135j		***2. The Commission shall conduct stress tests regularly and at least once every two years, covering comprehensive Union-wide stress tests or specific geographical areas or border regions.***		***4. The Commission shall conduct stress tests regularly and at least once every two years at Union level. To that end, the Commission shall invite staff from the central liaison offices of all Member States to participate in simulations. The Commission may also invite other relevant actors involved in the prevention of, preparedness for and response to emergencies to participate on a voluntary basis.*** ***Recital on actors being public or private, e.g. economic operators***
Article 7a(3)				
G 135k				***5. On the basis of a request by two or more Member States, the Commission may conduct stress tests in specific geographical areas***

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				or border regions in those Member States.
Article 7a(4)				
135l		***3. The Commission shall communicate the results of the stress tests to the Board and publish a report thereon.***		***6. The Commission shall communicate the results of the stress tests, conducted pursuant to this Article, to the Board and publish a report thereon.***
Article 7b				
135m		***Article 7b*** ***Mapping of critical sectors***		*deleted*
Article 7b(1)				
135n		***1. The Commission taking into due consideration the opinion of the Board and the input of relevant Union level bodies, and after consulting the Member States, is empowered to adopt a delegated act to supplement this Regulation by laying down a methodology for a mapping exercise for determining critical sectors.***		*deleted*
Article 7b(2)				
135o		***2. For the purpose of the methodology referred to in***		*deleted*

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		paragraph 1, the Commission shall take into account the following:		
Article 7b(2), point (a)				
135p		***(a) trade flows;***		*deleted*
Article 7b(2), point (b)				
135q		***(b) demand and supply;***		*deleted*
Article 7b(2), point (c)				
135r		***(c) concentration of supply;***		*deleted*
Article 7b(2), point (d)				
135s		***(d) Union and global production and production capacities at different stages of the value chain;***		*deleted*
Article 7b(2), point (e)				
135t		***(e) interdependencies among economic operators, both with operators operating within and outside the internal market.***		*deleted*
Article 7b(3)				

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135u		***3. The Commission using the methodology referred to in paragraph 1 and taking into consideration the opinion of the board, shall regularly conduct its mapping exercise to identify critical sectors. Those mapping exercises shall be based solely on publicly or commercially available data and relevant non-confidential information from undertakings.***		*deleted*
Article 7b(4)				
135v		***4. The Commission shall publish the results of this mapping exercise.***		*deleted*
Article 8				
136	Article 8 Ad hoc alerts for early warning	Article 8 Ad hoc alerts for early warning	Article 8 Ad hoc alerts for early warning	Article 8 Ad hoc alerts for early warning
Article 8(1)				
137	1. The central liaison office of a Member State shall notify the Commission and the central liaison offices of other Member States without undue delay of any incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the Single Market and its supply chains (significant	1. The central liaison office of a Member State shall ***immediately*** notify the Commission and the central liaison offices of other Member States ~~*without undue delay*~~ of any ~~*incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the Single*~~***incident that is likely to***	1. The central liaison office of a Member State shall notify the Commission and the central liaison offices of other Member States without undue delay of any ~~incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the Single Market and its supply chains (~~significant	1. The central liaison office of a Member State shall notify the Commission and the central liaison offices of other Member States without undue delay of any ~~*incidents that significantly disrupt or have the potential to significantly disrupt the functioning of the Single Market and its supply chains (*~~significant

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	incidents).	***lead to an internal*** market ~~*and its supply chains (significant incidents)*~~***emergency***.	incidents~~)~~.	incidents~~)~~.
Article 8(2)				
138	2. The central liaison offices and any relevant national competent authorities shall, in accordance with Union law and national legislation that complies with Union law, treat the information referred to in paragraph 1 in a way that respects its confidentiality, protects the security and public order of the European Union or its Member States, and protects the security and commercial interests of the economic operators concerned.	2. The central liaison offices and any relevant national competent authorities shall, in accordance with Union law and national legislation that complies with Union law, ***adopt all measures necessary to*** treat the information referred to in paragraph 1 in a way that respects its confidentiality, protects the security and public order of the ~~*European*~~ Union or its Member States, and protects the security and commercial interests of the economic operators concerned.	2. The central liaison offices and any relevant ~~national~~ competent authorities **of the Member States** shall, in accordance with Union law and national legislation that complies with Union law, treat the information referred to in paragraph 1 in a way that respects its confidentiality, protects the security and public order of the ~~European~~ Union or its Member States, and protects the security and commercial interests of the economic operators concerned.	2. The central liaison offices and any relevant ~~*national*~~ competent authorities ***of the Member States*** shall, in accordance with Union law and national legislation that complies with Union law, ***adopt all measures necessary to*** treat the information referred to in paragraph 1 in a way that respects its confidentiality, protects the security and public order of the ~~*European*~~ Union or its Member States, and protects the security and commercial interests of the economic operators concerned.
Article 8(3)				
139	3. In order to determine whether the disruption or potential disruption of the functioning of the Single Market and its supply chains of goods and services is significant and should be the object of an alert, the central liaison office of a Member State shall take the following into account:	3. In order to determine whether the ~~*disruption or potential disruption of the functioning of the Single Market and its supply chains of goods and services is significant and*~~***incidents referred to in paragraph 1*** should be the object of an alert, the central liaison office of a Member State shall take the following into account:	3. In order to determine whether the disruption or potential disruption of the functioning of the Single Market and its supply chains ~~of goods and services~~ is significant and should be the object of an alert, the central liaison office of a Member State shall take the following into account~~:~~	3. In order to determine whether ~~*the disruption or potential disruption of the functioning*~~***incidents should be the object*** of the ~~*Single Market and its supply chains of goods and services is significant and should be the object of an alert*~~***alert referred to in paragraph 1***, the central liaison office of a Member State shall take the following into account:

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Article 8(3), point (a)				
140	(a) the number of economic operators affected by the disruption or potential disruption;	(a) the number of economic operators affected ~~by the disruption or potential disruption~~***across the Union***;	(a) the **market position or** number of economic operators affected by the disruption or potential disruption; **or**	(a) the ***market position or*** number of economic operators affected by the ~~disruption or potential disruption;~~***incident;***
Article 8(3), point (b)				
141	(b) the duration or anticipated duration of a disruption or potential disruption;	(b) the duration or anticipated duration of ~~a disruption or potential disruption~~***the incidents***;	(b) the duration or anticipated duration of a disruption or potential disruption; **or**	(b) the duration or anticipated duration of ~~a disruption or potential disruption~~***the incidents***;
Article 8(3), point (c)				
142	(c) the geographical area; the proportion of the Single Market affected by the disruption or potential disruption; the impact on specific geographical areas particularly vulnerable or exposed to supply chain disruptions including the EU outermost regions;	(c) the geographical area;~~–~~ the proportion of the ~~Single~~***internal*** market affected ~~by the disruption or potential disruption~~***and its cross-border effects***; the impact on ~~specific geographical areas~~ particularly vulnerable or exposed ~~to supply chain disruptions including the EU~~***geographical areas such as the*** outermost regions;	(c) the geographical area;– the proportion of the Single Market affected by the– disruption or potential disruption; the impact on specific geographical areas particularly vulnerable or exposed to supply chain disruptions including the ~~EU~~ outermost regions; **or**	(c) the geographical area;~~–~~ the proportion of the ~~Single~~***internal*** market affected by the~~ disruption or potential disruption; the impact on specific geographical areas~~ ***incident and its cross-border effects, as well as its impact on*** particularly vulnerable or exposed ~~to supply chain disruptions including the EU~~***geographical areas such as the*** outermost regions; ***or***
Article 8(3), point (d)				
143	(d) the effect of the disruption or potential disruption on non-diversifiable and non-substitutable inputs.	(d) the effect of ~~the disruption or potential disruption~~***those incidents*** on non-diversifiable and non-substitutable inputs.	(d) **the existence of non-diversifiable and non-substitutable inputs in relation to the disruption or potential disruption and, if relevant,** the effect of the disruption	(d) the effect of ~~the disruption or potential disruption~~***those incidents*** on non-diversifiable and non-substitutable ~~inputs~~***goods***.

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			or potential disruption on non-diversifiable and non-substitutable inputs.	
Article 8(3), point (da)				
143a		***Article 8a Strategic reserves***		***deleted***
Article 8(3a)				
143b		***1. Member States shall make best efforts to build up strategic reserves of goods of critical importance. The Commission shall provide support to Member States in order to assist them in coordinating and streamlining their efforts. In particular, the Commission shall ensure coordination and information exchange, and shall promote solidarity between national competent authorities in relation to shortages of crisis-relevant goods or services, or building strategic reserves for goods of critical importance. Capacities which are part of the rescEU reserve in accordance with Article 12 of Decision No 1313/2013/EU shall be excluded from the application of this Article.***		***deleted***
Article 8(3b), first subparagraph				

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G 143c		***2. The exchange of information and best practices referred to in paragraph 1 may cover in particular:***		***deleted*** G
Article 8(3b), first subparagraph, point (a)				
G 143d		***(a) the probability and the potential impact of the shortages referred to in paragraph 1;***		***deleted*** G
Article 8(3b), first subparagraph, point (b)				
G 143e		***(b) the level of existing stocks of the economic operators and strategic reserves across the Union, and any information regarding the ongoing activities of economic operators to increase their stocks;***		***deleted*** G
Article 8(3b), first subparagraph, point (c)				
G 143f		***(c) the cost of building and maintaining such strategic reserves;***		***deleted*** G
Article 8(3b), first subparagraph, point (d)				
G 143g		***(d) the options for alternative supply and the potential for alternative supply;***		***deleted*** G

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Article 8(3b), first subparagraph, point (e)				
143h		***(e) further information that could ensure the availability of such goods and services.***		***deleted***
Article 8(3b), second subparagraph				
143i		***Such information and best practices shall be exchanged through a secure channel of communication.***		***deleted***
III				
144	III Part III	III Part III ***Internal market vigilance***	III Part III **Single Market Vigilance**	III Part III ***Internal market vigilance***
Title I				
145	Title I Vigilance mode	Title I Vigilance mode	Title I Vigilance mode	Title I Vigilance mode
Article 9				
146	Article 9 Activation	Article 9 Activation	Article 9 Activation	Article 9 Activation
Article 9(1)				
147	1. Where the Commission, taking into consideration the opinion provided by the advisory group,	1. Where the Commission, taking into ***due*** consideration the opinion provided by the ~~*advisory*~~	1. Where the Commission, taking into consideration the opinion provided by the ~~advisory~~	1. Where the Commission, taking into consideration the opinion provided by the ~~*advisory*~~

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	considers that the threat referred to in Article 3(2) is present, it shall activate the vigilance mode for a maximum duration of six months by means of an implementing act. Such an implementing act shall contain the following:	~~group~~***Board, as well as the criteria set out in Article 8(3)***, considers that the ~~*threat referred to*~~***conditions laid down*** in Article 3(2) ~~*is present*~~***are fulfilled***, it shall activate the vigilance mode for a maximum duration of six months by means of an implementing act***. Where the consideration of the Commission diverges from the opinion of the Board, the Commission shall provide a substantiated justification***. Such an implementing act shall contain the following:	~~group~~**Board**, considers that the ~~threat referred to~~**conditions laid down** in Article 3(2) ~~is present~~**are fulfilled**, it shall **propose to the Council to** activate the **Single Market** vigilance mode**. The Council may activate the Single Market vigilance mode** ~~for a maximum duration of six months~~ by means of ~~an~~**a Council** implementing act **on a proposal from the Commission. The duration of the activation shall be specified in the implementing act, and shall be a maximum of six months. Such** ~~. Such an~~ implementing act shall contain the following:	~~group~~***Board***, considers that the ~~*threat referred to*~~***conditions laid down*** in Article 3(2) ~~*is present*~~***are fulfilled***, it shall ***propose to the Council to*** activate the ***internal market vigilance mode. The Council may activate the internal market*** vigilance mode ~~*for a maximum*~~***by means of a Council implementing act. The*** duration of ~~*six months by means of an*~~***the activation shall be specified in the*** implementing act***, and shall be a maximum of six months***. Such ~~*an*~~ implementing act shall contain the following:
Article 9(1), point (a)				
148	(a) an assessment of the potential impact of the crisis;	(a) an assessment of the potential impact of the ***expected*** crisis***, including the specific situation of border regions and outermost regions***;	(a) an assessment of the potential impact of the crisis **on the free movement of goods, services and persons, including workers, on the Single Market and on its supply chains**;	(a) an assessment of the potential impact of the crisis ***on the free movement of goods, services and persons, including workers, on the internal market and on its supply chains***;
Article 9(1), point (b)				
149	(b) list of the goods and services of strategic importance concerned, and	(b) ***a*** list of the goods***, services and categories of workers of critical*** ~~*and services of strategic*~~ importance concerned, and	(b) **a** list of the goods and services of **critical importance which are indispensable in the maintenance of vital societal or economic activities in the Single Market** ~~strategic importance concerned~~, and	(b) ***a*** list of the goods and services of ~~*strategic*~~***critical*** importance concerned~~, and~~***; and*** ***+ recital on addressing restrictions***

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Article 9(1), point (c)				
150	(c) the vigilance measures to be taken.	(c) the vigilance measures to be taken***, including a justification regarding the necessity and proportionality of such measures***.	(c) the vigilance measures to be taken.	(c) the vigilance measures to be taken***, including a justification regarding the necessity and proportionality of such measures***.
Article 9(1), point (ca)				
150a			**1a. When assessing whether the conditions laid down in Article 3(2) are fulfilled to qualify as Single Market vigilance, the Commission and the Council shall, based on concrete and reliable evidence including information collected in the Board or through other Union-wide monitoring mechanisms, take into account at least the following criteria:**	***1a. When assessing whether the conditions laid down in Article 3(2) are fulfilled to qualify as internal market vigilance, the Commission and the Council shall take into account at least the following criteria:***
Article 9(1), point (cb)				
150b			**(a) the anticipated time before the threat escalates into a Single Market Emergency;**	***(a) the anticipated time before the threat escalates into an internal market emergency;***
Article 9(1), point (cc)				
150c			**(b) the number or market position of economic operators expected to be affected considering the nature**	***(b) the number or market position of economic operators expected to be affected by the crisis;***

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			of the threat; and	
Article 9(1), point (cd)				
150d			**(c) the extent to which goods and services of critical importance are expected to be impacted considering the nature of the threat.**	***(c) the extent to which goods and services of critical importance are expected to be impacted by the crisis; and***
Article 9(1), point (ce)				
150e				***(ca) the geographic area expected to be impacted by the crisis, in particular the impact on border regions and outermost regions.***
Article 9(2)				
151	2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 41(2).	2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 41(2).	*deleted*	*deleted*
Article 10				
152	Article 10 Extension and deactivation	Article 10 Extension and deactivation	Article 10 Extension and deactivation	Article 10 Extension and deactivation
Article 10(1)				
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	1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act.	1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into ***due*** consideration the opinion provided by the ~~*advisory group*~~***Board***, may extend the vigilance mode for a maximum duration of six months by means of an implementing act. ***Where the Board has concrete and reliable evidence that the vigilance mode should be deactivated, it may adopt an opinion to that effect, and communicate it to the Commission.***	1. **Where** the Commission~~, if it~~ considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the ~~advisory group, may~~**Board, it shall propose to the Council to** extend the vigilance mode**. Subject to urgent and exceptional changes in circumstances, the Commission shall endeavour to do so no later than 30 days before the expiry of the period for which the Single Market vigilance mode has been activated. On the basis of this proposal, the Council may extend the vigilance mode by no more than** ~~for a maximum duration of~~ six months **at a time** by means of ~~an~~**a Council** implementing act.	1. ***Where*** the Commission~~, if it~~ considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the ~~*advisory group, may*~~***Board, it shall propose to the Council to*** extend the vigilance mode***. Subject to urgent and exceptional changes in circumstances, the Commission shall make best efforts to do so no later than 30 days before the expiry of the period for which the internal market vigilance mode has been activated. On the basis of this proposal, the Council may extend the vigilance mode by no more than*** ~~*for a maximum duration of*~~ six months ***at a time*** by means of ~~*an*~~***a Council*** implementing act. Text Origin: Council Mandate
Article 10(2)				
G 154	2. Where the Commission, taking into consideration the opinion provided by the advisory group, finds that the threat referred to in Article 3(2) is no longer present, with respect to some or all vigilance measures or for some or all of the goods and services, it shall deactivate the vigilance mode in full or in part by means of an	2. Where the Commission, taking into ***due*** consideration the opinion provided by the ~~*advisory group*~~***Board***, finds that the ~~*threat referred to*~~***conditions laid down*** in Article 3(2) ~~*is*~~***are*** no longer ~~*present*~~***fulfilled*** with respect to some or all vigilance measures or for some or all of the goods***, services and categories of workers*** ~~*and*~~	2. Where the Commission, taking into consideration the opinion provided by the ~~advisory group~~**Board**, finds that the ~~threat referred to~~**conditions laid down** in Article 3(2) ~~is~~**are** no longer ~~present~~**fulfilled to qualify as Single Market vigilance**, with respect to some or all vigilance measures or for some or all of the goods and	2. Where the Commission, taking into consideration the opinion provided by the ~~*advisory group*~~***Board***, finds that the ~~*threat referred to*~~***conditions laid down*** in Article 3(2) ~~*is*~~***are*** no longer ~~*present*~~***fulfilled***, with respect to some or all vigilance measures or for some or all of the goods and services, it shall ***propose to the*** G

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	implementing act.	~~*services*~~, it shall deactivate the vigilance mode in full or in part by means of an implementing act.	services, it shall **propose to the Council to** deactivate the vigilance mode in full or in part**. On the basis of this proposal, the Council may deactivate the vigilance mode** by means of ~~an~~**a Council** implementing act.	***Council to*** deactivate the vigilance mode in full or in part***. On the basis of this proposal, the Council may deactivate the vigilance mode*** by means of ~~*an*~~***a Council*** implementing act. Text Origin: Council Mandate
Article 10(3)				
155	3. Implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2).	3. Implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2).	*deleted*	*deleted*
Title II				
156	Title II Vigilance measures	Title II Vigilance measures	Title II Vigilance measures	Title II Vigilance measures
Article 11				
157	Article 11 Monitoring	Article 11 Monitoring	Article 11 Monitoring	Article 11 Monitoring
Article 11(1)				
158	1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall monitor the supply	1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall monitor the supply	1. When the vigilance mode has been activated in accordance with Article 9, ~~national~~ competent authorities **in the Member States**	1. When the vigilance mode has been activated in accordance with Article 9, ~~*national*~~ competent authorities ***in the Member States***

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	chains of goods and services of strategic importance that have been identified in the implementing act activating the vigilance mode.	chains of goods and services of ~~strategic~~***critical importance and the free movement of categories of workers of critical*** importance that have been identified in the implementing act activating the vigilance mode.	shall monitor the supply chains of goods and services of ~~strategic~~ **critical** importance that have been identified in the implementing act activating the vigilance mode.	shall monitor the supply chains of goods and services of ~~strategic~~***critical*** importance that have been identified in the implementing act activating the vigilance mode ***and the free movement of persons, including workers, involved in the production and supply of those goods and services***.
Article 11(2)				
G 159	2. The Commission shall provide for standardised and secure means for the collection and processing of information for the purpose of paragraph 1, using electronic means. Without prejudice to national legislation requiring collected information including business secrets to be kept confidential, confidentiality with regard to the commercially sensitive informationand information affecting the security and public order of the Union or its Member States shall be ensured.	2. The Commission shall provide for standardised and secure means for the collection and processing of information for the purpose of paragraph 1, using electronic means. Without prejudice to national legislation requiring collected information including business secrets to be kept confidential, confidentiality with regard to the commercially sensitive ~~information~~***information and*** information affecting– the security and public order of the Union or its Member States shall be ensured.	2. The Commission shall provide for standardised and secure means for the collection and processing of **aggregated** information for the purpose of paragraph 1, using electronic means.– Without prejudice to national legislation **in compliance with Union law,** requiring collected information including business secrets to be kept confidential, confidentiality with regard to the commercially sensitive ~~information~~**information and** information affecting– the security and public order of the Union or its Member States shall be ensured.	2. The Commission shall provide for standardised and secure means for the collection ***of the information and the*** ~~and~~ processing of ***that*** information ***in an aggregated manner*** for the purpose of paragraph 1, using electronic means.– Without prejudice to national legislation ***in compliance with Union law,*** requiring collected information including business secrets to be kept confidential, confidentiality with regard to the commercially sensitive ~~information~~***information and*** information affecting– the security and public order of the Union or its Member States shall be ensured. G
Article 11(3)				
G 160	3. Member States shall set up and maintain an inventory of the most	3. Member States shall***, where possible,*** set up***, update*** and maintain	3. Member States shall set up and maintain an inventory of the ~~most~~	3. Member States shall***, where possible,*** set up***, update*** and maintain G

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	relevant economic operators established on their respective national territory that operate along the supply chains of goods and services of strategic importance that have been identified in the implementing act activating the vigilance mode.	an inventory of the most relevant economic operators established on their respective national territory that operate along the supply chains of goods and services ***as well as categories of workers of critical*** ~~of strategic~~ importance that have been identified in the implementing act activating the vigilance mode. ***The contents of the inventory shall be confidential at all times.***	relevant economic operators established on their respective national territory that operate along the supply chains of goods and services of ~~strategic~~**critical** importance that have been identified in the implementing act activating the vigilance mode.	an inventory of the ~~most~~ relevant economic operators established on their respective national territory that operate along the supply chains of goods and services of ~~strategic~~***critical*** importance that have been identified in the implementing act activating the vigilance mode. ***The contents of the inventory shall be confidential at all times.***
Article 11(4)				
G 161	4. On the basis of the inventory set up pursuant to Article 6, national competent authorities shall address requests for voluntary provision of information to the most relevant operators along the supply chains of goods and services identified in the implementing act adopted pursuant to Article 9 and other relevant stakeholders established in their respective national territory. Such requests shall in particular states which information about factors impacting the availability of the identified goods and services of strategic importance is requested. Each economic operator/stakeholder that voluntarily provides information shall do so on an individual basis in line with the Union rules on competition governing the exchange of information. The national	4. On the basis of the inventory set up pursuant to ~~Article 6~~***paragraph 3***, national competent authorities shall***, where necessary,*** address requests for voluntary provision of information to the most relevant operators along the supply chains of goods and services ***of critical importance as*** identified in the implementing act adopted pursuant to Article 9 ~~and other relevant stakeholders~~ established in their respective national territory. Such requests shall in particular states which information about factors impacting the availability of the identified goods and services of ~~strategic~~***critical*** importance is requested. Each economic ~~operator/stakeholder~~***operator*** that voluntarily provides information shall do so on an individual basis in	4. On the basis of the inventory set up pursuant to **paragraph 3 of this** Article ~~6, national~~ **,** competent authorities **in the Member States** shall address requests for voluntary provision of information to the most relevant operators along the supply chains of goods and services identified in the implementing act adopted pursuant to Article 9 and other relevant stakeholders established in their respective national territory. Such requests shall in particular ~~states~~**state** which information about factors impacting the availability of the identified goods and services of ~~strategic~~ **critical** importance is requested. Each economic operator/stakeholder that voluntarily provides information shall do so on an individual basis in line with the Union rules on	4. On the basis of the inventory set up pursuant to ~~Article 6, national~~***paragraph 3 of this Article*** competent authorities ***in the Member States*** shall***, when the information could not be obtained from other sources,*** address requests for voluntary provision of information to the most relevant operators along the supply chains of goods and services ***of critical importance*** identified in the implementing act adopted pursuant to Article 9 and ~~other relevant stakeholders established~~ **,** in their respective national territory. Such requests shall in particular ~~states~~***state*** which information about factors impacting the availability of the identified goods and services of ~~strategic~~***critical*** importance is requested. Each economic G

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	competent authorities shall transmit the relevant findings to the Commission and the advisory group without undue delay via the respective central liaison office.	line with the Union rules on competition governing the exchange of information. The national competent authorities shall transmit the relevant findings to the Commission and the ~~advisory group~~***Board*** without undue delay via the respective central liaison office.	competition governing the exchange of information. The ~~national~~ competent authorities **in the Member States** shall transmit the relevant findings to the Commission and ~~the advisory group~~**Board** without undue delay via the respective central liaison office.	~~operator/stakeholder~~***operator*** that voluntarily provides information shall do so on an individual basis in line with the Union rules on competition governing the exchange of information. The ~~national~~ competent authorities ***in the Member States*** shall transmit the relevant findings to the Commission and the ~~advisory group~~***Board*** without undue delay via the respective central liaison office.
Article 11(5)				
162	5. National competent authorities shall have due regard to the administrative burden on economic operators and in particular SMEs, which may be associated with requests for information and ensure it is kept to a minimum.	5. National competent authorities shall have due regard to the administrative burden on economic operators and in particular SMEs, which may be associated with requests for information, and ensure ~~it~~***that such administrative burden*** is kept to a minimum ***and that the confidentiality of the information is respected***.	5. ~~National~~ Competent authorities **in the Member States** shall have due regard to the administrative burden on economic operators and in particular SMEs, which may be associated with requests for information and ensure it is kept to a minimum.	5. ~~National~~ Competent authorities ***in the Member States*** shall have due regard to the administrative burden on economic operators and in particular SMEs, which may be associated with requests for information, and ensure ~~it~~***that such administrative burden*** is kept to a minimum ***and that the confidentiality of the information is respected***.
Article 11(6)				
163	6. The Commission may ask the advisory group to discuss the findings and prospects of evolution based on the monitoring of supply chains of goods and services of strategic importance.	6. The Commission may ask the ~~advisory group~~***Board*** to discuss the findings and prospects of evolution based on the monitoring of supply chains of goods and services of ~~strategic~~***critical*** importance.	6. The Commission may ask the ~~advisory group~~**Board** to discuss the **aggregated** findings and prospects of evolution based on **a Commission aggregation of the information obtained by Member**	6. ***On the basis of the information collected through the monitoring activities carried out in accordance with paragraph 1, the Commission shall present a report to the Board of the aggregated findings.***

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			States pursuant to paragraphs 1 and 4 regarding their ~~the~~ monitoring of supply chains of goods and services of ~~strategic~~**critical** importance**, duly ensuring confidentiality and observing the commercial sensitivity of the information concerned**.	*7.* The Commission may ask the ~~*advisory group*~~***Board*** to discuss the ***aggregated*** findings and prospects of evolution based on ~~*the*~~ ***the information obtained by Member States pursuant to paragraphs 1 and 4 regarding their*** monitoring of supply chains of goods and services of ~~*strategic*~~***critical*** importance***, duly ensuring confidentiality and observing the commercial sensitivity of the information concerned***.
Article 11(7)				
164	7. On the basis of the information collected through the activities carried out in accordance with paragraph 1, the Commission may provide a report of the aggregated findings.	7. On the basis of the information collected through the activities carried out in accordance with paragraph 1, the Commission ~~*may provide*~~***shall present*** a report ***to the European Parliament and the Council*** of the aggregated findings.	7. On the basis of the information collected through the **monitoring** activities carried out in accordance with paragraph 1, the Commission may provide a report of the aggregated findings.	*deleted*
Article 11(7a)				
164a		***7a. The Commission may require, by means of implementing acts, that the Member States provide the following information on the goods of critical importance listed in an implementing act adopted pursuant to Article 9(1):*** ***(a) the levels of strategic***		*deleted*

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		reserves in their territory; ***(b) any potential for further purchase.***		
Article 11(7b)				
164b			**7a. The Commission may also share with the Member States relevant information obtained through other monitoring means or systems.**	***7a. The Commission may also share with the Member States relevant information obtained through other monitoring means or systems.***
Article 11(7c)				
164c		***7b. Before adopting the implementing act, the Commission shall:*** ***(a) demonstrate it has no other access to such information and justify its need; and*** ***(b) request the opinion of the Board.*** ***Where the consideration of the Commission diverges from the opinion of the Board, the Commission shall also provide a substantiated justification.***		*deleted*
Article 11(7d)				
164d		***7c. The implementing act shall specify the goods for which information is to be given.***		*deleted*

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Article 11(7e)				
164e		***7d. The request for information cannot exceed a period of six months and cannot be renewed.***		*deleted*
Article 12				
165	Article 12 Strategic reserves	*deleted*	~~Article 12~~ *deleted*	~~*Article 12*~~ *deleted*
Article 12(1), first subparagraph				
166	*1.* The Commission may, among the goods of strategic importance listed in an implementing act adopted pursuant to Article 9(1),, identify those for which it may be necessary to build a reserve in order to prepare for a Single Market emergency, taking into account the probability and impact of shortages. The Commission shall inform the Member States thereof.	*deleted*	*deleted*	*deleted*
Article 12(1), second subparagraph				
167	Capacities which are a part of the rescEU reserve in accordance with Article 12 of Decision No 1313/2013/EU are excluded from the application of this Article.	*deleted*	*deleted*	*deleted*

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Article 12(2), first subparagraph				
168	*2.* The Commission may require, by means of implementing acts, that the Member States provide information on the goods listed in an implementing act adopted pursuant to Article 9(1), as regards all of the following:	*deleted*	*deleted*	*deleted*
Article 12(2), first subparagraph, point (a)				
169	*(a)* the current stock in their territory;	*deleted*	*deleted*	*deleted*
Article 12(2), first subparagraph, point (b)				
170	*(b)* any potential for further purchase;	*deleted*	*deleted*	*deleted*
Article 12(2), first subparagraph, point (c)				
171	*(c)* any options for alternative supply;	*deleted*	*deleted*	*deleted*
Article 12(2), first subparagraph, point (d)				
172	*(d)* further information that could ensure the availability of such goods.	*deleted*	*deleted*	*deleted*
Article 12(2), second subparagraph				
173				

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	The implementing act shall specify the goods for which information is to be given.	*deleted*	*deleted*	*deleted*
Article 12(2), third subparagraph				
174	Member States shall report to the Commission the levels of strategic reserves of goods of strategic importance held by them, and the levels of other stocks of such goods held on their territory.	*deleted*	*deleted*	*deleted*
Article 12(3)				
175	*3.* Taking due account of stocks held or being built up by economic operators on theirterritory, Member States shall deploy their best efforts to build up strategic reserves of the goods of strategic importance identified in accordance with paragraph 1. The Commission shall provide support to Member States to coordinate and streamline their efforts.	*deleted*	*deleted*	*deleted*
Article 12(4)				
176	*4.* Where the building of strategic reserves of goods of strategic importance identified pursuant to paragraph 1 can be rendered more effective by streamlining among	*deleted*	*deleted*	*deleted*

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	Member States, the Commission may draw up and regularly update, by means of implementing acts, a list of individual targets regarding the quantities and the deadlines for those strategic reserves that the Member States should maintain. When setting the individual targets for each Member State, the Commission shall take into account:			
Article 12(4), point (a)				
G	*177* *(a)* the probability and impact of shortages referred in paragraph 1;	*deleted*	*deleted*	*deleted*
Article 12(4), point (b)				
G	*178* *(b)* the level of existing stocks of the economic operators and strategic reserves across the Union, and any information on economic operators' ongoing activities to increase their stocks;	*deleted*	*deleted*	*deleted*
Article 12(4), point (c)				
G	*179* *(c)* the costs for building and maintaining such strategic reserves.	*deleted*	*deleted*	*deleted*
Article 12(5)				
G	*180* *5.* The Member States shall			

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	regularly inform the Commission about the current state of their strategic reserves. Where a Member State has reached the individual targets referred to in paragraph 4, it shall inform the Commission if it has at its disposal any stocks of the goods in question in excess of their target. The Member States whose reserves have not reached the individual targets shall explain to the Commission the reasons for this situation. The Commission shall facilitate cooperation between the Member States which have already reached their targets and the other Member States.	*deleted*	*deleted*	*deleted*
Article 12(6), first subparagraph				
G *181*	*6.* Where the strategic reserves of a Member State continuously fall significantly short of the individual targets referred to in paragraph 4 and economic operators on its territory are not able to compensate that shortfall, the Commission may, at its own initiative or at the request of 14 Member States, assess the need to take further measures to build up strategic reserves of goods of strategic importance identified pursuant to paragraph 1.	*deleted*	*deleted*	*deleted* G
Article 12(6), second subparagraph				

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	182 Following such an assessment, where the Commission establishes, supported by objective data, that	*deleted*	*deleted*	*deleted*
	Article 12(6), second subparagraph, point (a)			
	183 *(a)* the needs for the good in question remain unchanged or have increased compared to the situation at the time the target referred to in paragraph 4 was first set or last amended pursuant to paragraph 4,	*deleted*	*deleted*	*deleted*
	Article 12(6), second subparagraph, point (b)			
	184 *(b)* access to the concerned good is indispensable to ensure preparedness for a Single Market emergency	*deleted*	*deleted*	*deleted*
	Article 12(6), second subparagraph, point (c)			
	185 *(c)* the Member State concerned has not provided sufficient evidence to explain the failure to meet the individual target, and	*deleted*	*deleted*	*deleted*
	Article 12(6), second subparagraph, point (d)			
	186 *(d)* exceptional circumstances exist, in that the failure by that Member State, considering its importance to the supply chain concerned, to build	*deleted*	*deleted*	*deleted*

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	up such strategic reserves gravely imperils the Union's preparedness in the face of an impending threat of a Single Market emergency,			
Article 12(6), second subparagraph, first paragraph				
187	the Commission may adopt an implementing act, requiring the Member State in question to build up its strategic reserves of the goods concerned by a set deadline.	*deleted*	*deleted*	*deleted*
Article 12(7), first subparagraph				
188	*7.* When acting under this Article, the Commission shall seek to ensure that the building up of strategic reserves does not create a disproportionate strain on the supply chains of the goods identified in accordance to paragraph 1, or on the fiscal capacity of the Member State concerned.	*deleted*	*deleted*	*deleted*
Article 12(7), second subparagraph				
189	The Commission shall take fully into account any national security concerns raised by Member States.	*deleted*	*deleted*	*deleted*
Article 12(8)				
190				

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	8. The implementing acts referred to in this Article shall be adopted in accordance with the examination procedure referred to in Article 42(2).	*deleted*	*deleted*	*deleted*
IV				
191	*IV* Part IV	IV Part IV ***Internal market emergency***	IV Part IV **Single Market Emergency**	IV Part IV ***Internal market emergency***
Title I				
192	Title I Emergency mode	Title I Emergency mode	Title I Emergency mode	Title I Emergency mode
Article 13				
193	Article 13 Criteria for activation	Article 13 Criteria for activation	Article 13 Criteria for activation	Article 13 Criteria for activation
Article 13, 1				
194	1. When assessing the severity of a disruption for the purposes of ascertaining whether the impact of a crisis on the Single Market qualifies as a Single Market emergency, the Commission shall, based on concrete and reliable evidence, taking into account at least the following indicators:	1. When assessing the severity of a disruption for the purposes of ascertaining whether the impact of a crisis on the ~~*Single*~~***internal*** market qualifies as ~~*a Single*~~***an internal*** market emergency, the Commission shall, based on concrete and reliable evidence, ~~*taking*~~***take*** into account at least the following indicators:	1. When assessing the ~~severity of a disruption~~**need** for the ~~purposes of ascertaining whether the impact of a crisis on~~ **activation of** the Single Market ~~qualifies as a Single Market emergency, the Commission~~**emergency mode, the Commission and the Council** shall, based on concrete and reliable evidence, ~~taking into account at least~~	1~~.~~ When assessing ***whether the conditions laid down in Article 3(3) are fulfilled in order to determine the need to activate the internal*** ~~*the severity of a disruption for the purposes of ascertaining whether the impact of a crisis on the Single*~~ market ~~*qualifies as a Single Market emergency, the Commission*~~***emergency mode, the***

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			~~the following indicators~~ **apply following criteria for activation**:	***Commission and the Council*** shall, based on concrete and reliable evidence, ***assess whether the crisis creates one or more obstacles to the free movement of goods, services or persons, having an impact on*** ~~*taking into account*~~ at least ***one sector of vital societal or economic activities in the internal market.*** ***Where the crisis leads to a disruption to the functioning of supply chains, in addition to the criteria set out in the first subparagraph, the Commission and the Council shall assess whether the goods, services or workers concerned can be diversified or substituted.***~~*the following indicators:*~~
Article 13(1), point (a)				
G 194a			**(a) the crisis creates one or more obstacles to the free movement of goods, services or persons that has an impact on at least one sector of vital societal or economic activities in the Single Market, and**	*deleted*
Article 13(1), point (a)				
G *194b*			**(b) in case of disruption to the functioning of the supply chains, the goods, services or workers concerned cannot be diversified or**	*deleted*

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			substituted.	
Article 13(1a)				
194c			**1a. When applying the criteria referred to in paragraph 1, the Commission and the Council shall take into account at least the following indicators:**	***1a. When applying paragraph 1, the Commission and the Council shall take into account in particular the following indicators:***
Article 13(1a), point (a-a)				
194d			**(a-a) crisis relevant goods and service which have caused a number of notifications of significant incidents pursuant to Article 8(1);**	***(-a) the number of significant incidents notified pursuant to Article 8(1);***
Article 13, 1, point (a)				
195	(a) the crisis has caused activation of any relevant Council crisis response mechanism, Union Civil Protection Mechanism or the mechanisms set up within the EU Health Security Framework, including [the proposal for] Regulation (EU) …/… on serious cross-border health threats and [the proposal for] Council Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures;	(a) the crisis has ~~caused~~***triggered the*** activation of ~~any~~***a*** relevant Council crisis response mechanism, ***including the Integrated Political Crisis Response, the*** Union Civil Protection Mechanism or ***any of*** the mechanisms set up within the EU Health Security Framework, including ~~*[the proposal for] Regulation (EU) …/… on serious cross-border health threats and [the proposal for] Council*~~***the emergency framework under*** Regulation (EU) ~~*…/… on a framework of measures*~~	(a) the crisis has caused activation of any relevant Council crisis response mechanism, **namely the Integrated Political Crisis Response mechanism operated by the Council under Council Implementing Decision (EU) 2018/1993, of the** Union Civil Protection Mechanism or **of** the mechanisms set up within the EU Health Security Framework, including [the proposal for] Regulation (EU) …/… on serious cross-border health threats and [the	(a) ***the fact that*** the crisis has ~~caused~~***triggered the*** activation of any ***of the following:*** ***(i) a*** relevant Council crisis response mechanism, ***including the Integrated Political Crisis Response;*** ***(ii) the*** Union Civil Protection Mechanism***; or*** ***(iii) any of*** ~~*or*~~ the mechanisms set up within the EU Health Security Framework, including ~~*[the proposal for] Regulation (EU) …/… on serious cross-border health threats*~~

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		~~for ensuring the supply of crisis-relevant medical countermeasures~~***2022/2372***;	proposal for] Council Regulation (EU) …/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures;	~~and [the proposal for] Council~~***the emergency framework under*** Regulation (EU) ~~…/… on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures~~***2022/2372***;
Article 13, 1, point (b)				
196	(b) an estimation of the number of economic operations or users relying on the disrupted sector or sectors of the Single Market for the provision of the goods or services concerned;	(b) an estimation of the number ***or market share and market demand*** of economic operations or users relying on the disrupted sector or sectors of the ~~Single~~***internal*** market for the provision of the goods or services concerned;	(b) an estimation of the **market position and** number of economic operations or users relying on the disrupted sector or sectors of the Single Market for the provision of the goods or services concerned;	(b) an estimation of the number ***or market position and market demand*** of economic ~~operations~~***operators*** or users relying on the disrupted sector or sectors of the ~~Single~~***internal*** market for the provision of the goods or services concerned;
Article 13, 1, point (c)				
197	(c) the importance of the goods or services concerned for other sectors;	(c) the ***critical*** importance of the goods***, services or workers*** ~~or services~~ concerned for other sectors;	*deleted*	(c) ~~the importance of the~~***an estimation of types of*** goods***, services or the number of persons, including workers affected by the crisis*** ~~or services concerned for other sectors~~; ***Recital on travel restrictions or border controls***
Article 13, 1, point (d)				
198	(d) the impacts in terms of degree and duration on economic and societal activities, the environment	(d) the ~~impacts~~***actual or potential impact of the crisis*** in terms of degree and duration on economic	*deleted*	(d) the ~~impacts~~***actual or potential impact of the crisis*** in terms of degree and duration on economic

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	and public safety;	and ***vital*** societal activities, the environment and public safety;		and ***vital*** societal activities, the environment and public safety;
Article 13, 1, point (e)				
199	(e) the economic operators affected have not been able to provide a solution in a reasonable time to the particular aspects of the crisis on a voluntary basis.	(e) ***the fact that*** the economic operators affected ***by the disruption*** have not been able to provide a solution in a reasonable time to the particular aspects of the crisis on a voluntary basis~~.~~**;**	(e) the economic operators affected have not been able to provide a solution in a reasonable time to the particular aspects of the crisis on a voluntary basis~~.~~**;**	(e) ***the fact that*** the economic operators affected ***by the crisis*** have not been able to provide a solution in a reasonable time to the particular aspects of the crisis on a voluntary basis~~.~~**;**
Article 13, 1, point (f)				
200	(f) the market position of affected economic operators in the concerned sector or sectors;	(f) the market position of affected economic operators in the concerned sector or sectors;	*deleted*	*deleted*
Article 13, 1, point (g)				
201	*(g)* the geographic area that is and could be affected, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;	(g) the geographic area***, including border regions and outermost regions,*** that is and could be affected ***by the disruption***, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the ~~*Single*~~***internal*** market;	(g) the geographic area that is and could be affected, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;	(g) the geographic area***, including border regions and outermost regions,*** that is and could be affected ***by the crisis***, including any cross-border impacts on the functioning of supply chains that are indispensable ~~*in*~~***to*** the maintenance of vital societal or economic activities in the ~~*Single*~~***internal*** market;
Article 13, 1, point (h)				
202	(h) the importance of the affected	(h) the importance of the affected	(h) the importance of the affected	(h) the importance of the affected

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	economic operator in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and	economic operator in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and	economic operator in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and	economic ~~*operator*~~***operators*** in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and
Article 13, 1, point (i)				
203	(i) the absence of substitute goods, inputs or services.	(i) the absence ***or shortages*** of substitute ***for crisis-relevant*** goods, inputs or services~~.~~***;***	(i) the absence of substitute goods~~,~~ ~~inputs~~ or services.	(i) the absence ***or shortage of substitutes for***~~*of substitute*~~ goods~~,~~ ~~*inputs*~~ or services~~.~~***;*** ***Recital specifying that goods includes inputs, checked by DLA and LS***
Article 13, 1, point (ia)				
203a		***(ia) the estimated shortage of goods and services in the internal market;***		*deleted*
Article 13, 1, point (ib)				
203b		***(ib) the introduction of travel restrictions or border controls.***		*deleted*
Article 14				
204	Article 14 Activation	Article 14 Activation	Article 14 Activation	Article 14 Activation

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Article 14(-1)				
204a			**-1. The Single Market emergency mode shall be activated in accordance with Article 13.**	***-1. The internal market emergency mode shall only be activated if the criteria laid down in Article 13(1) are fulfilled.***
Article 14(1)				
205	1. The Single Market Emergency mode may be activated without the Single Market vigilance mode having previously been activated with regard to the same goods or services. Where the vigilance mode has previously been activated, the emergency mode may replace it partially or entirely.	1. The ~~*Single*~~***internal*** market emergency mode may be activated without the ~~*Single*~~***internal*** market vigilance mode having previously been activated with regard to the same goods or services. Where the vigilance mode has previously been activated, the emergency mode may replace it partially or entirely.	1. The Single Market Emergency mode may be activated without the Single Market vigilance mode having previously been activated with regard to the same goods or services. Where the vigilance mode has previously been activated, the emergency mode may replace it partially or entirely.	1. The ~~*Single*~~***internal*** market emergency mode may be activated without the ~~*Single*~~***internal*** market vigilance mode having previously been activated with regard to the same goods or services. Where the vigilance mode has previously been activated, the emergency mode may replace it partially or entirely.
Article 14(2)				
206	2. Where the Commission, taking into consideration the opinion provided by the advisory group, considers there is a Single Market emergency, it shall propose to the Council to activate the Single Market emergency mode.	2. Where the Commission, taking into ***due*** consideration the opinion ~~*provided by the advisory group*~~***of the Board***, considers ***that*** there is ~~*a Single*~~***an internal*** market emergency, it shall ~~*propose to the Council*~~***adopt a legislative proposal*** to activate the ~~*Single*~~***internal*** market emergency mode.	2. Where the Commission, taking into consideration the opinion provided by the ~~advisory group~~**Board**, considers there is a Single Market emergency, it shall propose to the Council to activate the Single Market emergency mode **and, where applicable, to adopt a list of crisis-relevant goods and services**.	2. Where the Commission, taking into consideration the opinion provided by the ~~*advisory group*~~***Board***, considers there is ~~*a Single*~~***an internal*** market emergency, it shall propose to the Council to activate the ~~*Single*~~***internal*** market emergency mode ***and, where applicable, to adopt a list of crisis-relevant goods and services***.
Article 14(3)				

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207	3. The Council may activate the Single Market emergency mode by means of a Council implementing act. The duration of the activation, hall be specified in the implementing act, and shall be a maximum of six months.	3. The ~~*Council may activate the Single Market emergency mode*~~***internal market emergency mode may be activated*** by means of a ~~*Council implementing act*~~***legislative act adopted on the basis of the legislative proposal referred to in paragraph 2***. The duration of the activation~~*, hall*~~ ***shall*** be specified in ~~*the implementing*~~***that legislative*** act, and shall be ***restricted to*** a maximum of six months.	3. The Council may activate the Single Market emergency mode**, and where applicable, adopt a list of crisis-relevant goods and services** by means of a Council implementing act **on a proposal from the Commission**. The duration of the activation~~, hall~~ **shall** be specified in the implementing act, and shall be a maximum of six months. **The list of crisis-relevant goods and services may be amended by means of Council implementing act on a proposal from the Commission.**	3. The Council may activate the ~~*Single*~~***internal*** market emergency mode***, and where applicable, adopt a list of crisis-relevant goods and services*** by means of a Council implementing act ***on a proposal from the Commission***. The duration of the activation~~*, hall*~~ ***shall*** be specified in the implementing act, and shall be a maximum of six months. ***The list of crisis-relevant goods and services may be amended by means of Council implementing act on a proposal from the Commission.***
Article 14(4)				
208	4. The activation of the Single Market emergency mode regarding certain goods and services does not prevent the activation or continued application of the vigilance mode and deployment of the measures laid down in Articles 11 and 12 regarding the same goods and services.	4. The activation of the ~~*Single*~~***internal*** market emergency mode regarding certain goods and services does not prevent the activation or continued application of the vigilance mode and deployment of the measures laid down in ~~*Articles 11 and 12*~~***Article 8a*** regarding the same goods and services.	4. The activation of the Single Market emergency mode regarding certain goods and services does not prevent the activation or continued application of the vigilance mode and deployment of the measures laid down in ~~Articles 11 and 12~~**Article 11** regarding the same goods and services.	4. The activation of the ~~*Single*~~***internal*** market emergency mode regarding certain goods and services does not prevent the activation or continued application of the vigilance mode and deployment of the measures laid down in ~~*Articles 11 and 12*~~***Article 11*** regarding the same goods and services.
Article 14(5)				
209	5. As soon as the Single Market emergency mode is activated, the Commission shall, without delay,	5. ***When proposing the activation of the internal market emergency mode, the Commission shall present***	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	adopt a list of crisis-relevant goods and services by means of an implementing act. The list may be amended by means of implementing acts.	***a list of crisis-relevant goods and services.*** As soon as the ~~*Single*~~***internal*** market emergency mode is activated ***by means of the legislative act referred to in paragraph 3***, the Commission shall, without delay, adopt ***such*** a list ~~*of crisis-relevant goods and services*~~ by means of an implementing act. ~~*The*~~***That*** list may be amended by means of implementing acts.	PUBLIC	
Article 14(6)				
210	*6.* The Commission implementing act referred to in paragraph 5 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	6. The ~~*Commission*~~ implementing act referred to in paragraph 5 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the ~~*Single*~~***internal*** market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	*deleted*	*deleted*
Article 15				
211	Article 15 Extension and deactivation	Article 15 Extension and deactivation	Article 15 Extension and deactivation	Article 15 Extension and deactivation
Article 15(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
212	1. Where the Commission considers, taking into consideration the opinion provided by the advisory group, that an extension of the Single Market emergency mode is necessary, it shall propose to the Council to extend the Single Market emergency mode. Subject to urgent and exceptional changes in circumstances, the Commission shall endeavour to do so no later than 30 days before the expiry of the period for which the Single Market emergency mode has been activated. The Council may extend the Single Market emergency mode by no more than six months at a time by means of an implementing act.	1. Where the Commission considers, taking into ***due*** consideration the opinion provided by the ~~*advisory group*~~***Board and based on the grounds referred to in Article 14(2)***, that an extension of the ~~*Single*~~***internal*** market emergency mode is necessary, it shall propose to the ***European Parliament and the*** Council to extend the ~~*Single*~~***internal*** market emergency mode. Subject to urgent and exceptional changes in circumstances, the Commission shall endeavour to do so no later than 30 days before the expiry of the period for which the ~~*Single*~~***internal*** market emergency mode has been activated. ***The internal market emergency mode may be extended by means of a legislative act on the basis of the legislative proposal referred to in the first subparagraph. The duration of the extension shall be specified in that legislative act, and shall be restricted to a maximum of six months*** ~~*The Council may extend the Single Market emergency mode by no more than six months at a time by means of an implementing act*~~.	1. Where the Commission considers, taking into consideration the opinion provided by the ~~advisory group~~**Board**, that an extension of the Single Market emergency mode is necessary, it shall propose to the Council to extend the Single Market emergency mode. Subject to urgent and exceptional changes in circumstances, the Commission shall endeavour to do so no later than 30 days before the expiry of the period for which the Single Market emergency mode has been activated. The Council may extend the Single Market emergency mode by no more than six months at a time by means of ~~an~~ **a Council** implementing act.	1. Where the Commission considers, taking into consideration the opinion provided by the ~~*advisory group*~~***Board***, that an extension of the ~~*Single*~~***internal*** market emergency mode is necessary, it shall propose to the Council to extend the ~~*Single*~~***internal*** market emergency mode. Subject to urgent and exceptional changes in circumstances, the Commission shall ~~*endeavour*~~***make best efforts*** to do so no later than 30 days before the expiry of the period for which the ~~*Single*~~***internal*** market emergency mode has been activated. The Council may extend the ~~*Single*~~***internal*** market emergency mode by no more than six months at a time by means of ~~*an*~~***a Council*** implementing act. Text Origin: Council Mandate
Article 15(2)				
213	2. Where the advisory group has concrete and reliable evidence that	2. Where the ~~*advisory group*~~***Board*** has concrete and reliable evidence	2. Where the ~~advisory group~~**Board** has concrete and reliable evidence	2. Where the ~~*advisory group*~~***Board*** has concrete and reliable evidence

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Single Market emergency should be deactivated, it may formulate an opinion to that effect and transmit it to the Commission. Where the Commission, taking into consideration the opinion provided by the advisory group, considers a Single Market emergency no longer exists, it shall propose to the Council without delay the deactivation of the Single Market emergency mode.	that the ~~*Single*~~***internal*** market emergency ***mode*** should be deactivated, it may formulate an opinion to that effect and transmit it to the Commission. Where the Commission, taking into consideration the opinion provided by the ~~*advisory group*~~***Board***, considers ~~*a Single*~~***that the internal*** market emergency no longer exists, it shall propose to the ***European Parliament and the*** Council**,** without delay**,** the deactivation of the ~~*Single*~~***internal*** market emergency mode.	that the Single Market emergency should be deactivated, it may formulate an opinion to that effect and transmit it to the Commission. Where the Commission, taking into consideration the opinion provided by the ~~advisory group~~**Board**, considers a Single Market emergency no longer exists, it shall propose to the Council without delay the deactivation of the Single Market emergency mode.	that the ~~*Single*~~***internal*** market emergency ***mode*** should be deactivated, it may formulate an opinion to that effect and transmit it to the Commission. Where the Commission, taking into consideration the opinion provided by the ~~*advisory group*~~***Board***, considers ~~*a Single*~~***that the internal*** market emergency no longer exists, it shall propose to the Council**,** without delay**,** the deactivation of the ~~*Single*~~***internal*** market emergency mode.
Article 15(3)				
G 214	3. The measures taken in accordance with Articles 24 to 33 and pursuant to the emergency procedures introduced in the respective Union legal frameworks by means of the amendments to sectorial product legislation set out in Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 and introducing emergency procedures for the conformity assessment, adoption of common specifications and market	3. The measures taken in accordance with Articles 24 to 33 ~~*and pursuant to the emergency procedures introduced in the respective Union legal frameworks by means of the amendments to sectorial product legislation set out in Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 and introducing emergency procedures for the conformity assessment, adoption of common specifications and market*~~	3. The measures taken in accordance with Articles 24 to 33 and pursuant to the emergency procedures introduced in the respective Union legal frameworks by means of the amendments to sectorial product legislation set out in **[**Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 ~~and introducing~~**as regards** emergency procedures for the conformity assessment, adoption of common specifications and market	3. The measures taken in accordance with Articles 24 to 33 ~~*and pursuant to the emergency procedures introduced in the respective Union legal frameworks by means of the amendments to sectorial product legislation set out in Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 and introducing emergency procedures for the conformity assessment, adoption of common specifications and market*~~ G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	surveillance in the context of a Single Market emergency and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, and2014/68/EU and introducingas regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance in the context ofdue to a Single Market shall cease to apply upon deactivation of the duration of the Single Market emergency mode. The Commission shall submit to the Council an assessment on the effectiveness of the measures taken in addressing the Single Market emergency no later than three months after the expiry of the measures, on the basis of the information gathered via the monitoring mechanism foreseen by Article 11.	~~*surveillance in the context of a Single Market emergency and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, and2014/68/EU and introducingas regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance in the context ofdue to a Single Market*~~ shall cease to apply upon deactivation of the ~~*duration of the Single*~~***internal*** market emergency mode. The Commission shall submit to the ***European Parliament and the*** Council an assessment on the effectiveness of the measures taken in addressing the ~~*Single*~~***internal*** market emergency no later than three months after the expiry of the measures, on the basis of the information gathered via the monitoring mechanism ~~*foreseen by*~~***set out in*** Article 11.	surveillance ~~in the context ofdue to~~ a Single Market emergency**]** and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, ~~and2014/68/EU and introducingas~~ **and 2014/68/EU as** regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance ~~in the context ofdue~~**due** to a Single Market **emergency]** shall cease to apply upon deactivation of the duration of the Single Market emergency mode.~~ The Commission shall submit to the Council an assessment on the effectiveness of the measures taken in addressing the Single Market emergency no later than three months after the expiry of the measures, on the basis of the information gathered via the monitoring mechanism foreseen by Article 11.~~	~~*surveillance in the context of a Single Market emergency and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, and2014/68/EU and introducingas regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance in the context ofdue to a Single Market*~~ shall cease to apply upon deactivation of the ~~*duration of the Single*~~***internal*** market emergency mode.~~ *The Commission shall submit to the Council an assessment on the effectiveness of the measures taken in addressing the Single Market emergency no later than three months after the expiry of the measures, on the basis of the information gathered via the monitoring mechanism foreseen by Article 11.*~~ Text Origin: EP Mandate
Article 15(3a)				
214a			**4. The Commission shall submit**	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			to the Council an assessment on the effectiveness of the measures taken in addressing the Single Market emergency no later than three months after the expiry of the measures, including where applicable, on the basis of the information gathered via the monitoring mechanism foreseen by Article 11.	*deleted* *Add in row 409* *Text Origin: Council Mandate*
Title II				
215	Title II free movement during the Single Market emergency	Title II -Free movement during the ~~*Single*~~***internal*** market emergency	Title II free movement during the Single Market emergency	Title II -Free movement during the ~~*Single*~~***internal*** market emergency
Chapter I				
216	Chapter I Measures for re-establishing and facilitating free movement	Chapter I Measures ~~*for re-establishing and*~~ facilitating free movement	Chapter I Measures for re-establishing and facilitating free movement	Chapter I Measures ~~*for re-establishing and*~~ facilitating free movement
Article 16				
217	Article 16 General requirements for measures restricting free movement to address a Single Market emergency	Article 16 ~~*General requirements for measures restricting*~~***Prohibited restrictions to*** free movement ~~*to address a Single*~~***during an internal*** market emergency	Article 16 General requirements for measures restricting free movement to address a Single Market emergency	Article 16 ~~*General requirements for measures restricting*~~***Restrictions to*** free movement ~~*to address a Single*~~***during an internal*** market emergency ***mode***
Article 16(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 218	1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and Union law and, in particular, with the requirements laid down in this Article.	1. ~~*When adopting and applying national measures*~~***Restrictions on the free movement of goods, services and persons imposed by Member States*** in response to ~~*a Single*~~***an internal*** market emergency ~~*and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and Union law and, in particular,*~~***shall be prohibited, unless they are justified on grounds of legitimate public interest objectives, such as public policy, public security or public health, and are in compliance*** with the ~~*requirements laid down in this Article*~~***principles of non-discrimination and proportionality***.	1. **Without prejudice to Article 17, when** ~~When~~ adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and ~~Union law and, in particular, with the requirements laid down in this Article~~**other provisions of Union law, including as regards non-discrimination, justification and proportionality**.	1. ***Without prejudice to Article 17,*** when adopting and applying national measures in response to ~~*a Single*~~***an internal*** market emergency ~~*and the underlying crisis*~~, Member States shall ensure that ~~*their actions fully*~~***such measures*** comply with ~~*the Treaty and Union law and, in particular, with the requirements laid down in this Article*~~***Union law, including as regards non-discrimination, justification and proportionality.*** ***Recital on EP 2a, corresponding to para 1: Any restriction should take adequately into account the situation of cross-border regions and outermost regions, especially for cross-border workers***. G
Article 16(2)				
G 219	2. Any restriction shall be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions.	2. Any ***such*** restriction shall be limited in time and ***immediately*** removed as soon as the ~~*situation allows it. Additionally, any restriction should take into account the situation of border regions*~~***internal market emergency mode is deactivated or earlier, in the event that the restriction is no longer justified or proportionate***.	2. ~~Any restriction~~**Member States** shall ~~be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions.~~**ensure in particular that any measures referred to in paragraph 1 are removed when they are no longer necessary.**	2. ~~*Any restriction*~~***Member States*** shall ~~*be limited in time and*~~***ensure, in particular, that the measures referred to in paragraph 1 are*** removed as soon as ~~*the situation allows it*~~***they are no longer justified or proportionate***. ***Recital clarifying that in general restrictions would be in principle no longer justified or proportionate*** G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				when the internal market emergency mode is deactivated ~~*Additionally, any restriction should take into account the situation of border regions*~~.
Article 16(2a)				
219a		***2a. Any restriction should take into account the situation of border regions and outermost regions, especially for cross-border workers.***		*deleted*
Article 16(3)				
220	*3.* Any requirement imposed on citizens and businesses shall not create an undue or unnecessary administrative burden.	3. Any requirement imposed on citizens and ~~*businesses*~~***economic operators*** shall not create an undue or unnecessary administrative burden. ***Member States shall take every available measure to limit and reduce any administrative burden.***	*deleted*	3. ***Member States shall ensure that*** any requirement imposed on citizens ~~*and businesses shall*~~***or economic operators does*** not create an undue or unnecessary administrative burden. ***Recital (see 220 on undue or unnecessary administrative burden)***
Article 16(3a)				
220a		***3a. Member States shall not adopt any of the following:***		*deleted*
Article 16(3a), point (a)				
220b				

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(a) restrictions on the intra-Union export of goods or provision or receipt of services, or measures having equivalent effect;		*deleted*
Article 16(3a), point (b)				
G *220c*		***(b) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly or indirectly on nationality or, in the case of companies, the location of the registered office, central administration or principal place of business; or***		*deleted* G
Article 16(3a), point (c)				
G *220d*		***(c) restrictions on the free movement of persons or travel restrictions on persons involved in the production, maintenance or transportation of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14(5) and their parts or restrictions on persons involved in the provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), or other measures having equivalent effect, that:***		*deleted* G
Article 16(3a), point (c)(i)				

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	220e		***(i) cause shortages of necessary workforce on the internal market and thus disrupt supply chains of crisis-relevant goods and services or create or increase shortages of such goods and services in the internal market; or***	*deleted*
Article 16(3a), point (c)(ii)				
	220f		***(ii) are directly or indirectly discriminatory based on nationality or the place of residence of the person.***	*deleted*
Article 16(4)				
	221	*4.* Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner.	4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner.	*deleted*	*deleted*
Article 16(5)				
	222	*5.* Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall	5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall	5. Member States shall ensure that ~~all~~ affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall	5. Member States shall ensure that all affected ***citizens and*** stakeholders are informed ***in a clear and unambiguous manner of the*** ~~of~~ measures restricting ***the*** free movement of goods, services and persons, including workers and

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ensure a continuous dialogue with stakeholders, including communication with social partners and international partners.	ensure a continuous dialogue with stakeholders, including communication with social partners and international partners.	ensure a continuous dialogue with stakeholders, including communication with social partners and international partners.	service providers, before their entry into force. Member States shall ensure a continuous dialogue with stakeholders, including communication with social partners and international partners.
Article 17				
223	Article 17 Prohibited restrictions of free movement rights during a Single Market emergency	*deleted*	Article 17 Prohibited restrictions of free movement rights during a Single Market emergency	Article 17 Prohibited restrictions ~~of~~***on the right to*** free movement ~~rights~~ during ~~a Single~~***an internal*** market emergency
Article 17(1)				
224	1. During the Single Market emergency mode and when responding to a Single Market emergency, Member States shall refrain from introducing any of the following:	*deleted*	*1.* During the Single Market emergency mode and when responding to a Single Market emergency, Member States shall refrain from introducing any of the following:	1. During ~~the Single~~***an internal*** market emergency mode and when responding to ~~a Single~~***an internal*** market emergency, Member States shall refrain from introducing any of the following:
Article 17(1), point (a-a)				
224a			**(a-a) any measures which are not limited in time;**	***(-a) any measures which are not limited in time;***
Article 17(1), point (a)				
225	(a) intraUnion export bans or other measures having equivalent effect on crisis-relevant goods or services	*deleted*	(a) ~~intraUnion export bans~~**bans on intra-Union export** or other measures having equivalent effect on	(a) ~~*intraUnion export bans*~~***bans on intra-Union export*** or other measures having equivalent effect on

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	listed in an implementing act adopted pursuant to Article 14, paragraph 5;		crisis-relevant goods or services listed in an implementing act adopted pursuant to Article 14, paragraph ~~53~~**; or on the transit of crisis-relevant goods listed in an implementing act adopted pursuant to Article 14, paragraph 3, or measures having equivalent effect**;	crisis-relevant goods or services listed in an implementing act adopted pursuant to Article ~~*14, paragraph 5*~~***14(3); or on the transit of crisis-relevant goods listed in an implementing act adopted pursuant to Article 14(3), or measures having equivalent effect***;
Article 17(1), point (b)				
G	226	(b) restrictions on the intra-EU export of goods or provision or receipt of services, or measures having equivalent effect, where those restrictions do any of the following	*deleted*	(b) ~~restrictions on the intra-EU~~**restricting the intra-Union** export of goods or **the cross-border** provision or receipt of services, or measures having equivalent effect, where those restrictions do any of the following	(b) ~~*restrictions on the intra-EU*~~***measures that restrict the intra-Union*** export of goods or ***the cross-border*** provision or receipt of services, or measures having equivalent effect, where those restrictions ~~*do*~~***cause*** any of the following***:***
Article 17(1), point (b)(i)				
G	227	(i) disrupt supply chains of crisis-relevant goods and services that are listed in an implementing act adopted pursuant to Article 14, paragraph 5, or	*deleted*	(i) disrupt supply chains of crisis-relevant goods and services that are listed in an implementing act adopted pursuant to Article 14, paragraph ~~53~~**,** or	(i) ~~*disrupt*~~***disruptions to*** supply chains of crisis-relevant goods and services that are listed in an implementing act adopted pursuant to Article ~~*14, paragraph 5,*~~ ***14(3),*** or
Article 17(1), point (b)(ii)				
G	228	(ii) create or increase shortages of such goods and services in the single	*deleted*	(ii) create or increase shortages of such goods and services in the	(ii) ~~*create or*~~***shortages or an*** increase ***in*** shortages of such goods

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	market;		Single Market;	and services in the ~~single~~***internal*** market;
Article 17(1), point (c)				
G 229	(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly on nationality or, in the case of companies, the location of the registered office, central administration or principal place of business;	*deleted*	(c) ~~discrimination between Member States or between citizens, including in their role as service providers or workers,~~**discriminating against beneficiaries of the right to free movement under Union law** based directly on nationality or, in the case of companies, the location of the registered office, central administration or principal place of business;	(c) ~~*discrimination between Member States or between citizens, including in their role as service providers or workers*~~***measures that discriminate beneficiaries of the right to free movement under Union law***, based ~~*directly*~~ on nationality or, in the case of companies, the location of ~~*the*~~***their*** registered office, central administration or principal place of business;
Article 17(1), point (d)				
G 230	(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5, or other measures having equivalent effect, that:	*deleted*	*deleted*	*deleted*
Article 17(1), point (d)(i)				
G *231*	*(i)* cause shortages of necessary			

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	workforce on the Single Market and thus disrupt supply chains of crisis-relevant goods and services or create or increase shortages of such goods and services in the Single market or	*deleted*	*deleted*	*deleted*
Article 17(1), point (d)(ii)				
232	*(ii)* are directly discriminatory based on nationality of the person.	*deleted*	*deleted*	*deleted*
Article 17(2)				
233	*2.* During the Single Market emergency mode and when responding to the Single Market emergency, Member States shall refrain from any of the following, unless to do so is inherent to the nature of the crisis:	*deleted*	*deleted*	*deleted*
Article 17(2), point (a)				
234	*(a)* applying more generous rules to goods originating from a neighbouring Member State, any other Member State or a group of Member States, as compared to goods originating from other Member States;	*deleted*	*deleted*	*deleted*
Article 17(2), point (b)				
235				

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) selectively refusing the entry of goods originating from specific other Member States to their territory;	*deleted*	*deleted*	*deleted*
Article 17(2), point (c)				
236	*(c)* introducing prohibitions of the operation of freight transport;	*deleted*	*deleted*	*deleted*
Article 17(3)				
237	*3.* During the Single Market emergency mode and when responding to a Single Market emergency, Member States shall refrain from any of the following unless to do so is inherent to the nature of the crisis/Single Market emergency:	*deleted*	*deleted*	*deleted*
Article 17(3), point (a)				
238	*(a)* banning types of services or modes of service provision;	*deleted*	*deleted*	*deleted*
Article 17(3),				
239	*(b)* blocking flows of passenger transport;	*deleted*	*deleted*	*deleted*
Article 17,				
240				

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4. During the Single Market emergency mode and when responding to the Single Market emergency, Member States shall refrain from any of the following:	*deleted*	*deleted*	~~*4. During the Single Market emergency mode and when responding to the Single Market emergency, Member States shall refrain from any of the following:*~~***deleted**
Article 17, ,				
G	241 (a) applying of more generous rules to travel to or from one Member State to or from another Member State or group of Member States, as compared to travel to and from other Member States unless to do so is inherent to the nature of the crisis/Single Market emergency;	*deleted*	*deleted*	*deleted*
Article 17, (d)				
G	*242* *(b)* denying, to beneficiaries of the right of free movement under Union law, of the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of Member States to travel to the Member State of nationality or residence, or the right to transit through a Member State in order to reach the Member State of nationality or residence;	*deleted*	~~(b)~~**(d)** denying, to beneficiaries of the right of free movement under Union law, of the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of– Member States to travel to the Member State of nationality or residence, or the right to transit through a Member State in order to reach the Member State of nationality or residence;	~~*(b)*~~***(d)*** ~~*denying,*~~***measures that deny*** to beneficiaries of the right ~~*of*~~***to*** free movement under Union law,~~*- of*~~ the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of– ***a*** Member ~~*States*~~***State*** to travel to ~~*the*~~***their*** Member State of nationality or residence, or the right to transit through a Member State in order to reach ~~*the*~~***their*** Member State of nationality or residence;
Article 17, , point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
243	(c) prohibiting of business travel linked to the research and development, to production of crisis-related goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5, or their placing on the market or to the related inspections;	*deleted*	~~(c)~~**(e)** prohibiting of business travel linked to the research and development, to production**, to placing on the market or to the related inspections** of crisis-related goods that are listed in an implementing act adopted pursuant to Article 14, paragraph ~~5, or their placing on the market or to the related inspections~~**3** ;	~~*(c)*~~***(e)*** ~~*prohibiting of*~~***measures that prohibit*** business travel linked to the research and development, ~~*to production of crisis-related*~~***production, placing on the market or related inspections and maintenance of crisis-relevant*** goods that are listed in an implementing act adopted pursuant to Article ~~*14, paragraph 5, or their placing on the market or to the related inspections*~~***14(3)***;
Article 17, (f)				
244	(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not appropriate for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim;	*deleted*	~~(d)~~**(f)** ~~imposing prohibitions on travel, including~~ **prohibiting** travel for imperative family reasons, ~~which are not appropriate for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim;~~**between Member States when such travel is permitted within the Member State in question**	~~*(d)*~~***(f)*** ~~*imposing prohibitions on*~~***measures that prohibit*** travel~~,~~ ~~*including travel*~~ ***between Member States*** for imperative family reasons, ***when such travel is permitted within the Member State introducing such a measure*** ~~*which are not appropriate for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim*~~;
Article 17, , point (e)				
245	(e) imposing restrictions on workers and service providers and their representatives, unless to do so in	*deleted*	*deleted*	*deleted*

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	inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose.			
Article 17, , point (ea)				
245a			**(g) imposing, when travel is possible despite the crisis, travel restrictions on service providers, business representatives and workers, preventing them from travelling between Member States to have access to their place of activity or workplace when there are no such restrictions on travel within the Member State in question;**	***(g) measures that impose travel restrictions on service providers, business representatives and workers, preventing them from travelling between Member States in order to access to their place of activity or workplace when there are no such restrictions on travel within the Member State introducing such a measure;***
Article 17(5)				
246	5. When a Single Market emergency has been activated in accordance with Article 14 and the activities exercised by the service providers, business representatives and workers are not affected by the crisis in the Member State and safe travel is possible despite the crisis, that Member State shall not impose travel restrictions on such categories of persons from other Member States that would prevent them from having access to their place of activity or workplace.	*deleted*	*deleted*	*deleted*

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Article 17(6)				
247	*6.* When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on:	*deleted*	*deleted*	6. ~~*When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on:*~~***deleted***
Article 17(6)				
248	(a) Those service providers that provide crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), or business representatives or workers that are involved in production of crisis-relevant goods or provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5) to allow them to have access to the place of their activities, if activities in the sector concerned are still allowed in the Member State;	*deleted*	~~(a)~~**(h)** ~~Those service providers that provide~~ **imposing restrictions that prevent the travel of providers of** crisis-relevant services ~~that are~~ listed in an implementing act adopted pursuant to Article ~~14(5), or~~**14 paragraph 3 ,** business representatives ~~or~~**and** workers ~~that are~~ involved in **the** production of crisis-relevant goods**, or in the** ~~or~~ provision of crisis-relevant services ~~that are~~ listed in an implementing act adopted pursuant to Article ~~14(5) to allow them to have access to the place of~~**14 paragraph 3 , or civil protection workers or** their	~~*(a)*~~***(h)*** ~~*Those service providers that provide crisis-relevant services that are*~~***measures that impose restrictions preventing the travel of providers of crisis-relevant services*** listed in an implementing act adopted pursuant to Article ~~*14(5), or*~~ ***14(3),*** business representatives ~~*or*~~***and*** workers ~~*that are*~~ involved in ***the*** production of crisis-relevant goods***, or in the*** ~~*or*~~ provision of crisis-relevant services ~~*that are*~~ listed in an implementing act adopted pursuant to Article ~~*14(5) to allow them to have access to the place*~~***14(3), or civil protection***

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			~~activities, if activities in the sector concerned are still allowed in the Member State;~~**equipment to the place of their activities.**	***workers or preventing the transport*** of their ~~*activities, if activities in the sector concerned are still allowed in the Member State;*~~***equipment to the place of their activities.***
Article 17(6), point (b)				
249	(b) civil protection workers to allow them to have unhindered access to their place of activity with their equipment in any of the Member States.	*deleted*	*deleted*	*deleted*
Article 17(7)				
250	*7.* When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law. Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.	*deleted*	*deleted*	*deleted*
Article 18				
251	Article 18 Supportive measures	Article 18 Supportive measures	Article 18 ***Supportive measures for free movement of persons***~~Supportive measures~~	Article 18 ~~*Supportive*~~***Mitigation*** measures ***for the free movement of persons***
Article 18(1)				

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252	1. During the Single Market emergency mode, the Commission may provide for supportive measures to reinforce free movement of persons referred to in Article 17(6) and 17(7) by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	1. During the ~~Single~~**internal** market emergency mode, the Commission may provide for supportive measures to ~~reinforce~~**facilitate the** free movement of persons ~~referred to in Article 17(6) and 17(7)~~ by means of implementing acts. ~~Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).~~	1. During the Single Market emergency mode, ~~the Commission may provide for supportive measures to reinforce~~**and for the purpose of facilitating** free movement of persons ~~referred to in~~**under points e, f, g and h of** Article ~~17(6) and 17(7)~~**17(1), the Commission may,** by means of implementing acts~~. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market,~~**, adopt administrative arrangements or put at the disposal of the Member States digital tools to facilitate the identification of the categories of persons and verification of the facts referred to in those provisions by the Member States in cooperation with the other relevant Member States and** the Commission ~~shall adopt immediately applicable implementing acts in accordance with the procedure referred to in~~**to facilitate free movement of persons referred to in points e, f, g and h of** Article ~~42(3)~~**17(1)** .	1. During the ~~Single~~**internal** market emergency mode~~, the Commission may provide for supportive measures to reinforce~~ **and for the purpose of facilitating the** free movement of persons referred to in **points (e) to (h) of** Article ~~17(6) and 17(7)~~**17(1), the Commission may,** by means of implementing acts~~. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts~~**, adopt administrative arrangements or provide Member States with digital tools to facilitate the identification of the categories of persons and verification** of the ~~crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance~~**facts referred to in those provisions by the Member States in cooperation** with the ~~procedure referred to in Article 42(3)~~**other relevant Member States and the Commission**. DLA to check on arrangements (related to translations in different languages)
Article 18(2)				
253				

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	2. During the Single Market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker and it considers that the use of different templates by each Member States is an obstacle to the free movement at the time of a Single Market emergency, the Commission may issue, if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency, templates for attesting that they fulfil the relevant criteria for the application Article 17(6) in all Member States by means of implementing acts.	2. During the ~~Single~~***internal*** market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator is a service provider that provides crisis-relevant services, a business representative or worker that is involved in ***the*** production of crisis-relevant goods or ***the*** provision of crisis-relevant services**,** or a civil protection worker**,** and it considers that the use of different templates by each Member ~~States~~***State*** is an obstacle to the free movement at the time of a ~~Single~~***internal*** market emergency, the Commission may**, *by means of implementing acts,*** issue, if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing ~~Single~~***internal*** market emergency, templates for attesting that they fulfil the relevant criteria for the application Article ~~17(6)~~***16*** in all Member States ~~by means of implementing acts~~.	2. During the Single Market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator ~~is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker~~**belongs to a category of persons referred to in points e, f, g and h of Article 17(1),** and it considers that the use of different templates by each Member States**State** is an obstacle to the free movement ~~at the time of a Single Market emergency~~**of those persons and their equipment**, the Commission may issue, ~~if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency~~**by means of implementing acts**, templates **to be used by** ~~for attesting that they fulfil the relevant criteria for the application Article 17(6) in~~ all Member States ~~by means of implementing acts~~.	2. During the ~~Single~~***internal*** market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that ~~the~~***an*** individual or economic operator ~~*is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker*~~ ***fulfils the general requirements stemming from national emergency measures*** and it considers that the use of different templates by each Member ~~States~~***State*** is an obstacle to the free movement ~~*at the time of a Single Market emergency*~~***of those individuals or economic operators and their equipment***, the Commission may issue, ~~*if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency*~~***by means of implementing acts***, templates ~~*for attesting that they fulfil the relevant criteria for the application Article 17(6) in*~~***which may be used by*** all Member States**.** ~~*by means of implementing acts.*~~
Article 18(2a)				

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G 253a				***2a. Without prejudice to relevant Union law and applicable national law and procedures, Member States shall prioritise declaration, registration or authorisation procedures for the providers of crisis-relevant services listed in an implementing act adopted pursuant to Article 14(3).***
Article 18(2b)				
G 253b				***2b. The Commission shall identify the categories of persons involved in the production or supply of crisis-relevant goods and services listed in an implementing act adopted pursuant to Article 14(3), for which it is necessary to facilitate free movement by establishing by means of implementing acts, after consulting the Board, templates which may be used by the Member States on a voluntary basis.***
Article 18(3)				
G 254	3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis	3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis	3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis	3. The implementing acts referred to in paragraphs 1***, 2 and 2b*** ~~***and 2***~~ shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis

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	on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	on the ~~Single~~***internal*** market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	on the ~~Single~~***internal*** market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).
Article 18(3a)				
G 254a				*deleted* G
Article 18(3b)				
G *254b*				***3b. Where, in duly justified cases and in accordance with relevant Union law, Member States have introduced restrictions on travel between Member States, the Commission shall coordinate the information exchange between Member States with the aim of making this information publicly available, including, where possible, real-time information.*** G
Article 18(3c)				
G 254c				***3c. The Commission shall make information on the mitigation measures it has adopted pursuant to this Article publicly available on a dedicated website.*** G

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Chapter II				
255	Chapter II Transparency and administrative assistance	Chapter II Transparency and administrative assistance	Chapter II Transparency and administrative assistance	Chapter II Transparency and administrative assistance
Article 19				
256	Article 19 Notifications	Article 19 Notifications ***and information***	~~Article 19~~ *deleted*	Article 19 ~~*Notifications*~~ ***Transparency***
Article 19(1), first subparagraph				
257	1. During the Single Market emergency, Member States shall notify to the Commission any crisis-relevant draft measures restricting free movement of goods and the freedom to provide services as well as crisis-relevant restrictions of free movement of persons, including workers together with the reasons for those measures.	1. During the ~~*Single*~~***internal market vigilance mode or the internal*** market emergency ***mode***, Member States shall notify ~~*to*~~ the Commission ***of*** any ~~*crisis-relevant*~~ draft measures ***linked to the crisis and*** restricting ***the*** free movement of goods and the freedom to provide services as well as ~~*crisis-relevant restrictions of*~~ ***adopted measures restricting of the*** free movement of persons, including workers**,** together with the reasons for those measures.	*deleted*	1. ~~*During the Single*~~***Where the internal*** market emergency ***mode has been activated in accordance with Article 14(3)***, Member States shall ~~*notify*~~***communicate*** to the Commission ~~*any crisis-relevant draft measures restricting free movement of goods and the freedom to provide services as well as crisis-relevant*~~***and to other Member States via the Union level liaison office the text of any emergency measures in response to the crisis introducing*** restrictions ***on the exercise of the right to*** ~~*of*~~ free movement of persons ***between Member States where such measure is not already covered by an information or notification obligation provided for in other Union legislation, without delay after their adoption,*** ~~*, including*~~

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				~~*workers*~~ together with**:** ***a)*** the reasons for ***such measures, including reasons demonstrating that the measure is justified and proportionate, as well as any underlying scientific or other data supporting their adoption;*** ***b) the scope of such measures;*** ***c) the date of adoption and date of application and duration of*** those measures.
Article 19(1), second subparagraph				
G	258	Such notification shall not prevent Member States from adopting the measures in question in case immediate action is needed due to reasons occasioned by serious and unforeseeable circumstances. Member States shall notify the adopted measure immediately together with a justification for the need to immediately adopt the measure.	Such notification shall not prevent Member States from adopting the measures in question in case immediate action is needed due to reasons occasioned by serious and unforeseeable circumstances. Member States shall notify the adopted measure immediately together with a justification for the need to immediately adopt the measure.	*deleted*	*deleted*
Article 19(2)				
G	*259*	*2.* Member States shall provide to the Commission a statement of the reasons which make the enactment of such measure justified and proportionate, where those reasons have not already been made clear in	2. Member States shall provide to the Commission a statement ~~*of the reasons which make*~~***demonstrating that*** the enactment of such ~~*measure*~~***measures is non-discriminatory,*** justified and	*deleted*	*deleted*

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	the notified measure. Member States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.	proportionate ***and***, where ~~*those reasons have not already been made clear in the notified measure*~~***possible, accompanied by concrete evidence***. Member States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by ~~*the*~~***such a*** measure.	PUBLIC	
Article 19(3)				
260	*3.* Member States shall use the information system set up for notifications under Directive (EU) 2015/1535 of the European Parliament and of the Council[1] for notifications under this Article. _____ 1. OJ L 241, 17.9.2015, p. 1.	3. Member States shall use the information system set up for notifications under Directive (EU) 2015/1535 of the European Parliament and of the Council[1] for notifications under this Article. _____ 1. OJ L 241, 17.9.2015, p. 1.	*deleted*	3. Member States ~~*shall use the information system set up for notifications under Directive (EU) 2015/1535 of the European Parliament and of the Council[1] for notifications under this Article*~~***may communicate to the Commission and the other Member States via the Union level liaison office the draft text of any measures referred in paragraph 1 before their adoption, together with the information referred to in points a) to c) of paragraph 1***. _____ ~~*1. OJ L 241, 17.9.2015, p. 1.*~~
Article 19(3a)				
260a				***3a. The communication referred to in paragraph 3 shall not prevent Member States from adopting the***

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				measures in question.
Article 19(4)				
261	4. The Commission shall communicate the notified measures to the other Member States without delay and shall share them at the same time with the advisory group.	4. The Commission shall communicate the notified measures to the other Member States without delay and shall share them at the same time with the ~~*advisory group*~~***Board***.	*deleted*	4. ~~*The Commission*~~***Member States*** shall ~~*communicate the notified*~~***provide the public with clear, comprehensive and timely information explaining the*** measures ***referred to in paragraph 1 as soon as possible*** ~~*to the other Member States without delay*~~ and shall ~~*share them at the same time with the advisory group*~~***provide that information to the Commission at the same time***.
Article 19(5)				
262	5. If the advisory group chooses to deliver an opinion on a notified measure, it shall do so within four working days from the date of receipt by the Commission of the notification concerning that measure.	5. If the ~~*advisory group*~~***Board*** chooses to deliver an opinion on a notified measure, it shall do so within four working days from the date of receipt ~~*by the Commission*~~ of the notification ~~*concerning that measure*~~.	*deleted*	5. ~~*If the advisory group chooses to deliver an opinion on a notified measure, it shall do so within four working days from the date of receipt by the Commission of the notification concerning that measure*~~***The Commission shall, based on the information received pursuant to this Article, publish on a dedicated website, available in all official languages of the Union, relevant information on any restrictions on the exercise of the right to free movement, including information on the scope and duration of national measures in***

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				question. The dedicated website may include an interactive map with relevant real-time information on those measures.
Article 19(6)				
G 263	6. The Commission shall ensure that citizens and businesses are informed of the notified measures, unless Member States request that the measures remain confidential, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article.	6. The Commission shall ensure that citizens and businesses are informed of the notified measures, unless Member States request that the measures remain confidential ***in accordance with paragraph 15 of this Article***, or the Commission deems disclosure of those measures would affect the security and public ~~order~~***policy*** of the ~~*European*~~ Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article.	*deleted*	6. The Commission shall ~~*ensure that citizens and businesses are informed of the notified measures, unless Member States request that the measures remain confidential, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article*~~***make the information received pursuant to paragraphs 1, 3 and 4 available to the Board***.
Article 19(7)				
G 264	7. Member States shall postpone the adoption of a notified draft measure for 10 days from the date of receipt by the Commission of the notification referred to in this Article.	7. Member States shall postpone the adoption of a notified draft measure for 10 days from the date of receipt by the Commission of the notification referred to in this Article.	*deleted*	7. ~~*Member States shall postpone the adoption of a notified draft measure for 10 days from the date of receipt*~~***The information referred to in paragraphs 1, 3 and 4 shall be transmitted via a secure tool provided*** by the Commission ~~*of the notification referred to in this Article*~~.

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Article 19(8)				
265	8. Within 10 days from the date of receipt of the notification, the Commission shall examine the compatibility of any draft or adopted measure with Union law, including Articles 16 and 17 of this Regulation as well as the principles of proportionality and non-discrimination, and may provide comments on the notified measure when there are immediately obvious and serious grounds to believe that it does not comply with Union law. Such comments shall be taken into account by the notifying Member State. In exceptional circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation, the period of 10 days may be extended by the Commission. The Commission shall set out the reasons justifying any such extension, shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.	8. Within 10 days from the date of receipt of the notification, the Commission shall examine the compatibility of any draft or adopted measure with Union law, including ~~*Articles 16 and 17*~~ ***Article 16*** of this Regulation as well as the principles of proportionality and non-discrimination, and may provide comments on the notified measure when there are immediately obvious and serious grounds to believe that it does not comply with Union law. Such comments shall be taken into account by the notifying Member State. In exceptional circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation, the period of 10 days may be extended by the Commission. The Commission shall set out the reasons justifying any such extension, ***and*** shall set a new deadline***, which shall not exceed 30 days. It*** ~~*and*~~ shall inform the Member States about the new deadline and the reasons for the extension without delay.	*deleted*	*deleted*
Article 19(9)				
266	*9.* Member States may also provide comments to the Member State	9. Member States may also provide comments to the Member State	*deleted*	*deleted*

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	which has notified a measure; that Member State shall take such comments into account.	which has notified a measure~~;~~ ***and*** that Member State shall take such comments into account.		
Article 19(10)				
267	*10.* The notifying Member State shall communicate the measures it intends to adopt in order to comply with the comments delivered in accordance with paragraph 8 to the Commission within 10 days after receiving them.	10. The notifying Member State shall communicate the measures it intends to adopt ~~*in order to comply*~~***and a justification on how it complies*** with the comments delivered in accordance with paragraph 8 to the Commission within 10 days after receiving them.	*deleted*	*deleted*
Article 19(11)				
268	*11.* If the Commission finds that the measures communicated by the notifying Member State are still not in accordance with Union law, it may issue within 30 days of that communication, a decision requiring that Member State to refrain from adopting the notified draft measure. The notifying Member State shall communicate the adopted text of a notified draft measure to the Commission without delay.	11. If the Commission finds that the measures communicated by the notifying Member State are still not in accordance with Union law, it may issue**,** within ~~*30*~~***15*** days of that communication, a decision requiring that Member State ***to modify or*** to refrain from adopting the notified draft measure. The notifying Member State shall communicate the adopted text of a notified draft measure to the Commission without delay.	*deleted*	*deleted*
Article 19(12)				
269	*12.* If the Commission finds that an	12. If the Commission finds that an		

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	already adopted measure that has been notified to it, is not in accordance with Union law, it may issue within 30 days of that notification a decision requiring the Member State to abolish it. The notifying Member State shall communicate the text of a revised measure in case it modifies the notified adopted measure without delay.	already adopted measure that has been notified to it, is not in accordance with Union law, it may issue within ~~30~~**15** days of that notification a decision requiring the Member State to abolish it. The notifying Member State shall communicate the text of a revised measure in case it modifies the notified adopted measure without delay.	*deleted*	*deleted*
Article 19(13)				
270	*13.* The period of 30 days referred to in paragraphs 11 and 12 may be exceptionally extended by the Commission in order to take account of a change of circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation. The Commission shall set out the reasons justifying any such extension and shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.	13. The period of ~~30~~**15** days referred to in paragraphs 11 and 12 may be exceptionally extended by the Commission in order to take account of a change of circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation. The Commission shall set out the reasons justifying any such extension and shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.	*deleted*	*deleted*
Article 19(14)				
271	*14.* The Commission decisions referred to in paragraphs 11 and 12 shall be based on available	14. The Commission decisions referred to in paragraphs 11 and 12 shall be based on available	*deleted*	*deleted*

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	information and may be issued when there are immediately obvious and serious grounds to believe that the notified measures do not comply with Union law, including Article 16 or 17 of this Regulation, the principle of proportionality or the principle of non-discrimination. The adoption of those decisions shall be without prejudice to the possibility for the Commission to adopt measures at a later stage, including the launching of an infringement procedure on the basis of Article 258 TFEU.	information and may be issued when there are immediately obvious and serious grounds to believe that the notified measures do not comply with Union law, including Article 16 ~~or 17~~ of this Regulation, the principle of proportionality or the principle of non-discrimination. The adoption of those decisions shall be without prejudice to the possibility for the Commission to adopt measures at a later stage, including the launching of an infringement procedure on the basis of Article 258 TFEU.		
Article 19(15)				
G	*272*	*15.* Information supplied under this Article shall not be confidential except at the express request of the notifying Member State. Any such request shall relate to draft measures and shall be justified.	15. Information ~~*supplied*~~***provided by Member States*** under this Article shall ~~*not be confidential except at the express*~~ ***be made public. Member States may*** request ~~*of the notifying Member State. Any such request shall relate to draft measures and*~~***that information related to draft measures is kept confidential. That request*** shall be justified.	*deleted*	*deleted*
Article 19(16)				
G	*273*	*16.* The Commission shall publish the text of the measures adopted by the Member States in the context of the Single market emergency that	16. The Commission shall publish ~~*the text of the measures adopted by the Member States in the context of the Single market emergency that*~~	*deleted*	*deleted*

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	restrict free movement of goods, services and the persons, including workers, which have been communicated by means of the notifications referred to in this Article as well as via other sources. The text of the measures shall be published within one working day of its receipt by means of an electronic platform managed by the Commission.	~~*restrict free movement of goods, services and the persons, including workers, which have been communicated by means of the notifications referred to in*~~***any information provided under*** this Article~~ as well as via other sources. The text of the measures shall be published within one working day of its receipt by means of an electronic platform managed by the Commission~~ ***except information that is deemed confidential in accordance with paragraph 15***.		
Article 19(16a)				
G	*273a*		***16a. The Commission shall publish the measures adopted by the Member States in the context of the internal market emergency that restrict free movement of goods, services and persons, including workers, which have been communicated. Those measures shall be published within one working day of their receipt via an electronic platform managed by the Commission.***	*deleted*
Article 19(16b)				
G	*273b*		***16b. Member States shall inform citizens, consumers, businesses, workers and their representatives***	*deleted*

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		and any affected stakeholders, in a clear and unambiguous manner, about measures that affect the free movement of goods, services and persons, including workers and service providers, before their entry into force, in particular through their national single point of contact referred to in Article 21. Member States shall ensure a continuous dialogue with all relevant stakeholders, including social partners and international partners.		
Article 20				
274	Article 20 Link to other notification mechanisms	Article 20 Link to other notification mechanisms	~~Article 20~~ *deleted*	~~*Article 20*~~ *deleted*
Article 20(1)				
275	*1.* Where a Member State is required to notify a measure under Article 19 of this Regulation and under Article 5(1) of Directive (EU) 2015/1535[1], a notification made under this Regulation shall be deemed to have satisfied also the notification obligation set out in Article 5(1) of Directive (EU) 2015/1535. 1. OJ L 241, 17.9.2015, p. 1	1. Where a Member State is required to notify a measure under Article 19 of this Regulation and under Article 5(1) of Directive (EU) 2015/1535[1], a notification made under this Regulation shall be deemed to have satisfied also the notification obligation set out in Article 5(1) of Directive (EU) 2015/1535. 1. OJ L 241, 17.9.2015, p. 1	*deleted*	*deleted*

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Article 20(2)				
G	*276*	*2.* Where a Member State is required to notify a measure under Article 19 of this Regulation and under Articles 15(7) or 39(5) of Directive 2006/123/EC of the European Parliament and of the Council[1], a notification made under this Regulation shall be deemed to have satisfied also the notification obligations set out in Directive 2006/123/EC. Similarly the Commission Decisions referred to in Article 19(11) and 19(12) of this Regulation are deemed to be a Decision taken under Article 15(7) of Directive 2006/123/EC for the purposes of that Directive. _____ 1. OJ L 376, 27.12.2006, p. 36.	2. Where a Member State is required to notify a measure under Article 19 of this Regulation and under Articles 15(7) or 39(5) of Directive 2006/123/EC of the European Parliament and of the Council[1], a notification made under this Regulation shall be deemed to have satisfied also the notification obligations set out in Directive 2006/123/EC. Similarly the Commission Decisions referred to in Article 19(11) and 19(12) of this Regulation are deemed to be a Decision taken under Article 15(7) of Directive 2006/123/EC for the purposes of that Directive. _____ 1. OJ L 376, 27.12.2006, p. 36.	*deleted*	*deleted*
Article 20(3)				
G	*277*	*3.* Where a Member State is required to notify a measure under Article 19 of this Regulation and to inform the Commission in accordance with Article 59(5) of Directive 2005/36/EC of the European Parliament and of the Council[1], that notification shall be deemed to have satisfied also the information obligation set out in	3. Where a Member State is required to notify a measure under Article 19 of this Regulation and to inform the Commission in accordance with Article 59(5) of Directive 2005/36/EC of the European Parliament and of the Council[1], that notification shall be deemed to have satisfied also the information obligation set out in	*deleted*	*deleted*

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	Article 59(5) of Directive 2005/36/EC. _____ 1. OJ L 255, 30.9.2005, p. 22.	Article 59(5) of Directive 2005/36/EC. _____ 1. OJ L 255, 30.9.2005, p. 22.		
Article 21				
278	Article 21 Single points of contact in the Member States	Article 21 Single points of contact in the Member States	Article 21 Single points of contact in the Member States	Article 21 Single points of contact in the Member States
Article 21(1)				
279	1. Member States shall operate national single points of contact that shall provide citizens, consumers, economic operators and workers and their representatives with the following assistance:	1. Member States shall operate national single points of contact that shall provide citizens, consumers, economic operators and workers and their representatives with the following assistance:	1. Member States shall operate national single points of contact that shall provide citizens, consumers, economic operators and workers and their representatives with the following ~~assistance~~:	1. Member States shall operate national single points of contact that shall provide citizens, consumers, economic operators and workers and their representatives with the following ~~*assistance*~~:
Article 21(1), point (a)				
280	(a) assistance in requesting and obtaining information about national restrictions of the free movement of goods, services, persons and workers that are related to an activated Single Market emergency;	(a) assistance in requesting and obtaining information about national restrictions of the free movement of goods, services, persons and workers that are related to an activated ~~*Single*~~***internal*** market emergency ***mode***;	(a) assistance in requesting and obtaining information about national restrictions of the free movement of goods, services, persons and workers that are related to an activated Single Market emergency;	(a) assistance in requesting and obtaining information about national restrictions of the free movement of goods, services, persons and workers that are related to an activated ~~*Single*~~***internal*** market emergency ***mode***;
Article 21(1), point (b)				
281	(b) assistance in the performance of	(b) assistance in the performance of	(b) assistance in the performance of	(b) assistance in the performance of

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	any national level crisis procedures and formalities that have been put in place due to the activated Single Market emergency.	any national level crisis procedures and formalities that have been put in place due to the activated ~~Single~~***internal*** market emergency~~.~~ ***mode;***	any national level crisis procedures and formalities that have been put in place due to the activated Single Market emergency.	any national level crisis procedures and formalities that have been put in place due to the activated ~~Single~~***internal*** market emergency~~.~~ ***mode;***
Article 21(1), point (ba)				
281a		***(ba) assistance in the dissemination of information to citizens, consumers, economic operators and workers and their representatives.***		
Article 21(2)				
282	2. Member States shall ensure that it is possible for citizens, consumers, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language. It shall be easily accessible at a distance and by electronic means and shall be kept up to date.	2. Member States shall ensure that it is possible for citizens, consumers, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language. It shall be easily accessible at a distance and by electronic means and shall be kept up to date. ***Member States shall make best efforts to provide such***	2. Member States shall ensure that it is possible for citizens, consumers, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language. **Member States shall make the information referred to in paragraph 1 also accessible in an official language of the Union that is broadly understood by the**	2. Member States shall ensure that it is possible for citizens, consumers, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language. It shall be easily accessible at a distance and by electronic means and shall be kept up to date. ***Member States shall make the information referred to in***

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		information in all official languages of the Union, paying particular attention to the situation and needs of the border regions.	**largest possible number of cross-border users.** It shall be easily accessible at a distance and by electronic means and shall be kept up to date.	***paragraph 1 also accessible in an official language of the Union that is broadly understood by the largest possible number of cross-border users and shall make best efforts to provide such information in other official languages of the Union, paying particular attention to the situation and needs of the border regions.***
Article 22				
283	Article 22 Union level single point of contact	Article 22 Union level single point of contact	Article 22 Union level single point of contact	Article 22 Union level single point of contact
Article 22(1)				
284	1. The Commission shall set up and operate a Union level single point of contact.	1. The Commission shall set up and operate a Union level single point of contact.	1. The Commission shall set up and operate a Union level single point of contact.	1. The Commission shall set up and operate a Union level single point of contact.
Article 22(2)				
285	2. The Union level single point of contact shall provide citizens, consumers, economic operators, workers and their representatives with the following assistance:	2. The Union level single point of contact shall provide citizens, consumers, ***local and regional authorities,*** economic operators, workers and their representatives with the following ~~*assistance*~~:	2. The Union level single point of contact shall provide citizens, consumers, economic operators, workers and their representatives with the following ~~assistance~~:	2. The Union level single point of contact shall provide citizens, consumers, economic operators, workers and their representatives with the following ~~*assistance*~~:
Article 22(2), point (a)				
286				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) assistance in requesting and obtaining information as regards Union level crisis response measures that are relevant to the activated Single Market emergency or which affect the exercise of the free movement of goods, services, persons and workers;	(a) assistance in requesting and obtaining information as regards Union level crisis response measures that are relevant to the activated ~~*Single*~~***internal*** market emergency ***mode*** or which affect the exercise of the free movement of goods, services~~*,*~~ ***and*** persons***, including*** ~~*and*~~ workers;	(a) assistance in requesting and obtaining information as regards Union level crisis response measures that are relevant to the activated Single Market emergency or which affect the exercise of the free movement of goods, services, persons and workers;	(a) assistance in requesting and obtaining information as regards Union level crisis response measures that are relevant to the activated ~~*Single*~~***internal*** market emergency ***mode*** or which affect the exercise of the free movement of goods, services~~*,*~~ ***and*** persons***, including*** ~~*and*~~ workers;
Article 22(2), point (b)				
287	(b) assistance in the performance of any crisis procedures and formalities that have been put in place at the Union level due to the activated Single Market emergency;	(b) assistance in the performance of any crisis procedures and formalities that have been put in place at the Union level due to the activated ~~*Single*~~***internal*** market emergency ***mode***;	(b) assistance in the performance of any crisis procedures and formalities that have been put in place at the Union level due to the activated Single Market emergency;	(b) assistance in the performance of any crisis procedures and formalities that have been put in place at the Union level due to the activated ~~*Single*~~***internal*** market emergency ***mode***;
Article 22(2), point (c)				
288	(c) putting together a list with all national crisis measures and national contact points.	(c) ~~*putting together*~~***assistance in establishing*** a list with all national crisis measures and national contact points.	(c) putting together **and publishing** a list with all national crisis measures and national contact points.	(c) ~~*putting together*~~***compiling and publishing*** a list ~~*with*~~***of*** all national crisis measures and national contact points.
Article 22(2a)				
288a		***2a. Sufficient human and financial resources shall be allocated to the Union level single point of contact.***		***2a. Sufficient human and financial resources shall be allocated to the Union level single point of contact.***
Title III				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
289	Title III Single Market emergency response measures	Title III ~~Single~~***Internal*** market emergency response measures	Title III Single Market emergency response measures	Title III ~~Single~~***Internal*** market emergency response measures
Chapter I				
290	Chapter I Targeted information requests and availability of crisis-relevant goods and services	Chapter I Targeted information requests and availability of crisis-relevant goods and services	Chapter I Targeted information requests and availability of crisis-relevant goods and services	Chapter I Targeted information requests and availability of crisis-relevant goods and services
Article 23				
291	Article 23 Requirement of dual activation	Article 23 Requirement of dual activation	Article 23 Requirement of dual activation	Article 23 Requirement of dual activation
Article 23(1)				
292	1. Binding measures included in this Chapter may be adopted by the Commission by means of implementing acts in accordance with Articles 24(2), first subparagraph of Article 26 and Article 27(2) may be adopted only after a Single Market Emergency has been activated by means of a Council implementing act in accordance with Article 14.	1. Binding measures included in this Chapter may be adopted by the Commission by means of implementing acts ~~*in accordance with Articles 24(2), first subparagraph of Article 26 and Article 27(2) may be adopted only after a Single*~~***only when an internal*** market emergency ***mode*** has been activated ~~*by means of a Council implementing act*~~ in accordance with Article 14.	1. Binding measures included in this Chapter may be adopted by the Commission by means of implementing acts in accordance with Articles 24(2), **and the** first subparagraph of Article 26 ~~and Article 27(2) may be adopted~~ only after a Single Market Emergency has been activated by means of a Council implementing act in accordance with Article 14.	1. ~~*Binding*~~***The*** measures included in this Chapter may ***only*** be adopted by the Commission ~~*by means of implementing acts in accordance with Articles 24(2), first subparagraph of Article 26 and Article 27(2) may be adopted only after a Single Market Emergency*~~***when an internal market emergency mode has been activated and a list crisis-relevant goods and, as applicable, services*** has been ~~*activated by means of a*~~***established by the*** Council ~~*implementing act in accordance with*~~***pursuant to*** Article

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				~~14~~14(3).
Article 23(2)				
293	2. An implementing act introducing a measure included in this Chapter shall clearly and specifically list the crisis-relevant goods and services to which such measure applies. That measure shall apply only for the duration of the emergency mode.	2. An implementing act introducing a measure included in this Chapter shall clearly and specifically list the crisis-relevant goods and services ***identified in the implementing act adopted in accordance with Article 14(5)*** to which such ***a*** measure applies. That measure shall apply only for the duration of the emergency mode.	2. An implementing act introducing a measure included in this Chapter shall clearly and specifically list the crisis-relevant goods and services **referred to in Article 14(3)** to which such measure applies. That measure shall apply only for the duration of the emergency mode.	2. An implementing act introducing a measure included in this Chapter shall clearly and specifically list the crisis-relevant goods and services, ***from those listed in the implementing act adopted pursuant to Article 14(3)*** to which such ***a*** measure applies. That measure shall apply only for the duration of the emergency mode.
Article 23(2a)				
293a		***2a. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impact of the crisis on the internal market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).***		*deleted*
Article 24				
294	Article 24 Information requests to economic	Article 24 Information requests to economic	Article 24 Information requests to economic	Article 24 Information requests to economic

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	operators	operators	operators	operators
Article 24(1)				
295	1. Where there is a severe crisis-related shortages or an immediate threat thereof, the Commission may invite representative organisations or economic operators in crisis-relevant supply chains to transmit on a voluntary basis, within a set time limit, specific information to the Commission on the production capacities and possible existing stocks of crisis-relevant goods and components thereof in Union production facilities and third country facilities which it operates, contracts or purchases supply from, as well as information on any relevant supply chain disruptions within a given deadline.	1. Where there is a severe crisis-related ~~*shortages*~~***shortage*** or an immediate threat thereof, the Commission may invite ~~*representative organisations or*~~ economic operators in crisis-relevant supply chains to transmit ~~*on a voluntary basis, within a set time limit*~~***, in accordance with paragraph 3***, specific information ~~*to the Commission on the production capacities and possible existing stocks of crisis-relevant goods and components thereof in Union production facilities and third country facilities which it operates, contracts or purchases supply from, as well as information on any relevant supply chain disruptions*~~***that is relevant to the internal market emergency, on a voluntary basis and*** within a ~~*given deadline*~~***reasonable time limit***.	1. ~~Where there is a severe crisis-related shortages or an immediate threat thereof,~~ The Commission may invite ~~representative organisations or~~ **the relevant** economic operators in crisis-relevant supply chains to transmit on a voluntary basis~~,~~ within a set time limit, specific information to the Commission on the production capacities and possible existing stocks of crisis-relevant goods and components thereof in Union production facilities and third country facilities which it operates, contracts or purchases supply from, as well as information on any relevant supply chain disruptions**, where:** ~~within a given deadline.~~	1. ~~*Where there is a severe crisis-related shortages or an immediate threat thereof,*~~ The Commission may invite ~~*representative organisations or*~~ ***the relevant*** economic operators in ~~*crisis-relevant*~~***the*** supply chains ***of crisis-relevant goods or services*** to transmit on a voluntary basis~~,~~ within a set time limit, specific information ~~*to the Commission on the production capacities and possible existing stocks of crisis-relevant goods and components thereof in Union production facilities and third country facilities which it operates, contracts or purchases supply from, as well as information on any relevant supply chain disruptions within a given deadline.*~~***where:***
Article 24(1), point (a)				
295a			**(a) there are severe shortages of crisis-relevant goods or services or an immediate threat thereof;**	***(a) there are severe shortages of crisis-relevant goods or services or an immediate threat thereof;***
Article 24(1), point (b)				

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G 295b			**(b) the information sought is strictly necessary for assessing whether any of the measures laid down in Article 26, or Articles 32 to 37 would be capable of reducing such shortages or the threat thereof;**	***(b) the information sought is strictly necessary for assessing whether any of the measures laid down in Article 26, or Articles 32 to 37 would be capable of reducing such shortages or the threat thereof;***
Article 24(1), point (c)				
G 295c			**(c) the information provided through the Board or through other means from the Member States in the contingency or Single Market vigilance mode is not sufficient;**	***(c) the information provided through the Board or through other means from the Member States in the contingency or internal market vigilance mode is not sufficient; and***
Article 24(1), point (d)				
G 295d			**(d) the Commission is not able to obtain such information from other sources.**	***(d) the Commission is not able to obtain such information from other sources.***
Article 24(1a)				
G 295e			**The Commission shall assess the existence of the conditions referred to in the first subparagraph in cooperation with the Board.**	***The Commission, after consulting and in cooperation with the Board, shall assess the existence of the conditions referred to in the first subparagraph.***
Article 24(2)				

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296	2. If the addressees do not transmit the information requested in accordance with paragraph 1 within the time-limit and do not provide a valid justification for not doing so, the Commission may, by means of an implementing act, require that they transmit the information, indicating in the implementing act why it is proportionate and necessary to do so, specifying the crisis-relevant goods and services and addressees concerned by the information request, and the information that is sought, providing where necessary a template with the questions that may be addressed to the economic operators.	2. If the addressees do not transmit the information requested in accordance with paragraph 1 within the time-limit and do not provide a valid justification for not doing so, the Commission may, by means of ~~*an implementing act, require*~~***a recommendation, request*** that they transmit the ***requested*** information, indicating ~~*in the implementing act*~~ why it is proportionate and necessary to do so, specifying the crisis-relevant goods and services and addressees concerned by the information request, and the information that is sought, providing where necessary a template with the questions that may be addressed to the economic operators.	2. If **no information is transmitted to the Commission on a voluntary basis within the set time limit pursuant to** ~~the addressees do not transmit the information requested in accordance with~~ paragraph 1 ~~within the time-limit and do not provide a valid justification for not doing so, the Commission may, by means of an implementing act, require that they transmit the information, indicating in the implementing act why it is proportionate and necessary to do so, specifying the~~ **and if the information gathered by the Commission, through the requests for information on a voluntary basis pursuant to paragraph 1, or from any other sources as listed in the contingency or Single Market vigilance mode, remains insufficient for assessing whether the deployment of the measures laid down in Article 26, or Articles 32 to 37 would allow reducing the severe shortages of** crisis-relevant goods ~~and~~**or** services ~~and addressees concerned by the information request, and the information that is sought, providing where necessary a template with the questions that may be addressed to the economic operators~~**or the threat thereof and whether any such measures should be taken, the Commission may make a**	2. If ***no information is transmitted to the Commission on a voluntary basis within the set time limit pursuant to*** ~~*the addressees do not transmit the information requested in accordance with*~~ paragraph 1 ~~*within the time-limit and do not provide a valid justification for not doing so, the Commission may, by means of an implementing act, require that they transmit the information, indicating in the implementing act why it is proportionate and necessary to do so, specifying the*~~ ***and if the information gathered by the Commission, through the requests for information on a voluntary basis pursuant to paragraph 1, or from any other sources as listed in the contingency or internal market vigilance mode, remains insufficient for assessing whether the deployment of the measures laid down in Article 26, or Articles 32 to 37 would allow reducing the severe shortages of*** crisis-relevant goods ***or*** services ~~*and addressees concerned by the information request, and the information that is sought, providing where necessary a template with the questions that may be addressed to the economic operators*~~***or the threat thereof and whether any such measures should be taken, the Commission may***

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			mandatory, request for information, by means of an implementing act.	***make a request for information, by means of an implementing act.***
Article 24(2a)				
G 296a			**2a. Before adopting such an implementing act, the Commission shall:**	***2a. Before adopting such an implementing act, and taking into consideration the opinion of the Board, the Commission shall:***
Article 24(2a), point (a)				
G 296b			**(a) assess the necessity and the proportionality of such a mandatory information request for the achievement of the envisaged objectives laid down in paragraph 1(b); and**	***(a) assess the necessity and the proportionality of such an information request for the achievement of the envisaged objectives laid down in paragraph 1(b); This assessment shall be published with the implementing act, if adopted; and***
Article 24(2a), point (b)				
G 296c			**(b) take due account of the administrative burden, which such a request may entail for the concerned economic operators and in particular for small and medium-sized enterprises as defined in the Annex of Commission Recommendation 2003/361/EC (SMEs) and modulate the timelines for**	***(b) take due account of the administrative burden, which such a request may entail for the concerned economic operators and in particular for small and medium-sized enterprises as defined in the Annex of Commission Recommendation 2003/361/EC (SMEs) and modulate the timelines for submitting the information***

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			submitting the information accordingly.	***accordingly.***
Article 24(3)				
297	3. The information requests referred to in paragraph 1 may concern the following:	3. The information requests referred to in paragraph 1**,** may concern ~~*the following*~~:	3. The information requests referred to in ~~paragraph 1 may~~ **paragraphs 1 and 2 may only** concern ~~the following~~**targeted information about**:	3. The information requests referred to in ~~*paragraph 1 may*~~ ***paragraphs 1 and 2 may only*** concern ~~*the following*~~***targeted information about***:
Article 24(3), point (a)				
298	(a) targeted information to the Commission in relation to the production capacities and possible existing stocks of the crisis-relevant goods and components thereof in production facilities located in the Union and production facilities located in a third country which the organisation or the operator referred to in paragraph 1 operates, contracts or purchases supply from, while fully respecting trade and business secrets and requiring them to transmit to the Commission a schedule of the expected production output for the following 3 months for production facility located in the Union as well as any relevant supply chain disruptions;	(a) targeted information to the Commission ~~*in relation to*~~***on*** the production capacities and possible existing stocks of the crisis-relevant goods and components thereof in production facilities located in the Union and production facilities located in a third country which the organisation or the operator referred to in paragraph 1**–** operates~~,~~ ~~*contracts or purchases supply from, while fully respecting trade and business secrets and requiring them to transmit to the Commission a schedule of the expected production output for the following 3 months for production facility located in the Union as well as any relevant supply chain disruptions*~~ ***or contracts***;	(a) ~~targeted information to the Commission in relation to~~ the production capacities and possible existing stocks of the crisis-relevant goods ~~and components thereof~~ in production facilities located in the Union and production facilities located in a third country which the ~~organisation or the~~ **relevant** operator ~~referred to in paragraph 1~~ operates, contracts or purchases supply from, while fully respecting trade and business secrets ~~and requiring them to transmit to the Commission a schedule of the expected production output for the following 3 months for production facility located in the Union as well as any relevant supply chain disruptions~~;	(a) ~~*targeted information to the Commission in relation to*~~ the production capacities and possible existing stocks of the crisis-relevant goods ~~*and components thereof*~~ in production facilities located in the Union and production facilities located in a third country which the ~~*organisation or the*~~***relevant*** operator ~~*referred to in paragraph 1 operates,*~~***operates or*** contracts or purchases supply from, while fully respecting trade and business secrets ~~*and requiring them to transmit to the Commission a schedule of the expected production output for the following 3 months for production facility located in the Union as well as any relevant supply chain disruptions*~~;
Article 24(3), point (aa)				

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298a			**(b) the schedule of the expected production output for the following 3 months for production facility located in the Union;**	***(aa) the schedule of the expected production output of crisis-relevant goods for the following 3 months, if available, the information request regarding production facilities located in the Union or in a third country in which the operator operates or contracts;***
Article 24(3), point (b)				
299	(b) other information necessary for assessing the nature or magnitude of a given supply chain disruption or shortage.	(b) ~~*other information necessary for assessing the nature or magnitude of a given supply chain disruption or shortage*~~***a schedule of the expected production output of crisis-relevant goods for the 3 months following the information request regarding production facilities located in the Union or in a third country in which the operator operates or contracts***.	~~(b)~~**(c)** ~~other information necessary for assessing the nature or magnitude of a given~~ **any relevant** supply chain ~~disruption or shortage~~**disruptions or shortages**.	(b) ~~*other information necessary for assessing the nature or magnitude of a given supply chain disruption or shortage*~~***any relevant disruptions or shortages of supply chains of crisis-relevant goods or services***.
Article 24(3a)				
299a			**3a. Any implementing act laying down a mandatory information request to economic operators pursuant to paragraph 2 shall:**	***3a. Any implementing act laying down an information request to economic operators pursuant to paragraph 2 shall:***
Article 24(3a), point (a)				
299b			**(a) specify the crisis-relevant**	***(a) specify the crisis-relevant goods***

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			goods and services as defined in the list according to Article 14 (3) that are relevant for the information request,	***and services as defined in the list according to Article 14(3) that are relevant for the information request;***
Article 24(3a), point (b)				
299c			**(b) specify the relevant economic operators concerned by the information request,**	***(b) specify the relevant economic operators concerned by the information request;***
Article 24(3a), point (c)				
299d			**(c) specify the information that is sought, including providing where necessary a template with the questions that may be addressed to the individual relevant economic operators;**	***(c) specify the information that is sought, including providing where necessary a template with the questions that may be addressed to the individual relevant economic operators;***
Article 24(3a), point (d)				
299e			**(d) demonstrate the existence of the exceptional need referred to in paragraph 1 point b for which the information are requested;**	***(d) demonstrate the existence of the exceptional need referred to in paragraph 1 point b for which the information are requested;***
Article 24(3a), point (e)				
299f			**(e) explain the purpose of the request, the intended use of the information requested, and the duration of that use;**	***(e) explain the purpose of the request, the intended use of the information requested, and the duration of that use;***

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Article 24(3a), point (f)				
299g			**(f) specify the timeline by which the economic operator may ask the Commission to modify the request;**	***(f) specify the timeline by which the economic operator may ask the Commission to modify the request;***
Article 24(3a), point (g)				
299h			**(g) be expressed in a clear, concise and understandable language;**	***(g) be expressed in a clear, concise and understandable language;***
Article 24(3a), point (h)				
299i			**(h) take into account the protection of trade secrets; and**	***(h) take into account the protection of trade secrets; and***
Article 24(3a), point (i)				
299j			**(i) take into account the economic operator's effort required to make the information available on a voluntary basis, especially if it is an SME.**	***(i) take into account the economic operator's effort required to make the information available on a voluntary basis, especially if it is an SME.***
Article 24(4)				
300	4. Following the activation of the mandatory information requests to economic operators by means of an implementing act, the Commission	4. ~~*Following the activation of the mandatory information requests to*~~***When inviting or requesting*** economic operators ~~*by means of an*~~	4. Following the activation of the mandatory information requests to economic operators by means of an implementing act **pursuant to**	4. Following the activation of the ~~*mandatory*~~ information requests to economic operators by means of an implementing act ***pursuant to***

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	shall address a formal decision to each of those representative organisations or economic operators in crisis-relevant supply chains that have been identified in the implementing act, requesting them to provide the information specified in the implementing act. The Commission shall rely, where possible, on the relevant and available contact lists of the economic operators active in the selected supply chains of crisis-relevant goods and services, compiled by the Member States. The Commission may obtain the necessary information on the relevant economic operators from the Member States.	~~*implementing act, the Commission shall address a formal decision to each of those representative organisations or economic operators in crisis-relevant supply chains that have been identified in the implementing act*~~***to provide information for the purposes of this Article***~~*, requesting them to provide the information specified in the implementing act.*~~ the Commission shall rely, where possible, on the relevant and available contact lists of the economic operators active in the selected supply chains of crisis-relevant goods and services, compiled by the Member States. The Commission may obtain the necessary information on the relevant economic operators from the Member States.	**paragraph 2**, the Commission shall address a ~~formal~~ decision to each of those ~~representative organisations or~~**relevant** economic operators in crisis-relevant supply chains that have been identified in the implementing act **pursuant to paragraph 2**, requesting them to **either** provide the information specified in the implementing act **pursuant to paragraph 2 or to explain why they cannot provide such information**. The Commission shall rely, where possible, on the relevant and available contact lists of the economic operators active in the selected supply chains of crisis-relevant goods and services, compiled by the Member States **in accordance with Article 11**. The Commission may **also where relevant** obtain the necessary information on the relevant economic operators from the Member States.	***paragraph 2***, the Commission shall address a ~~*formal*~~ decision to each of those ~~*representative organisations or*~~***relevant*** economic operators in ***supply chains of*** crisis-relevant ~~*supply chains*~~***goods or services*** that have been identified in the implementing act ***pursuant to paragraph 2***, requesting them to ***either*** provide the information specified in the implementing act ***pursuant to paragraph 2 or to explain why they cannot provide such information***. The Commission shall rely, where possible, on the relevant and available contact lists of the economic operators active in the selected supply chains of crisis-relevant goods and services, compiled by the Member States ***in accordance with Article 11***. The Commission may ***also where relevant*** obtain the necessary information on the relevant economic operators from the Member States.
Article 24(4a)				
300a			**4a. When the processing of a mandatory information request by a relevant economic operator has the potential to significantly disrupt its operations, the said economic operator may refuse to supply the requested information.**	***4a. When the processing of an information request by a relevant economic operator has the potential to significantly disrupt its operations, the said economic operator may refuse to supply the requested information. The relevant***

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			The relevant economic operator shall provide to the Commission the reasons for any refusal to supply requested information. The Commission shall not forward or publish an economic operator's refusal to supply the requested information or their reasoning for doing so.	***economic operator shall provide to the Commission the reasons for any refusal to supply requested information. The Commission shall not forward or publish an economic operator's refusal to supply the requested information or their reasoning for doing so.***
Article 24(4b)				
G	300b		**4b. The Commission shall without delay forward a copy of any request for information referred to in paragraphs 1 and 2 to the competent authority of the Member State in whose territory the economic operator is situated. If the competent authority of the Member States so requires, the Commission shall transmit the information acquired from the respective economic operator in accordance with Union law.**	***4b. The Commission shall without delay forward a copy of any request for information referred to in paragraphs 1 and 2 to the competent authority of the Member State in whose territory the economic operator is situated. If the competent authority of the Member States so requires, the Commission shall transmit the information acquired from the respective economic operator in accordance with Union law.*** Text Origin: Council Mandate
Article 24(4c)				
G	300c		**4c. The Commission receiving information pursuant to a request for information referred to in paragraphs 1 and 2 shall:**	***4c. The Commission receiving information pursuant to a request for information referred to in paragraphs 1 and 2 shall:*** Text Origin: Council Mandate

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Article 24(4c), point (a)				
300d			**(a) not use the information in a manner incompatible with the purpose for which the information was requested;**	***(a) not use the information in a manner incompatible with the purpose for which the information was requested;*** Text Origin: Council Mandate
Article 24(4c), point (b)				
300e			**(b) have implemented, insofar as the processing of personal data is necessary, technical and organisational measures that preserve the confidentiality and integrity of the requested information, including in particular personal data, as well as safeguard the rights and freedoms of data subjects;**	***(b) ensure, insofar as the processing of personal data is necessary, the implementation of technical and organisational measures that preserve the confidentiality and integrity of the requested information, including in particular personal data, as well as safeguard the rights and freedoms of data subjects;*** Text Origin: Council Mandate
Article 24(4c), point (c)				
300f			**(c) erase the information as soon as they are no longer necessary for the stated purpose and inform the economic operator and the relevant competent authority of the Member State without undue delay that the information has been erased unless archiving of the**	***(c) erase the information as soon as it is no longer necessary for the stated purpose and inform the economic operator and the relevant competent authority of the Member State without undue delay that the information has been erased unless archiving of the information is***

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			information is required for transparency purposes in accordance with national law.	***required for transparency purposes in accordance with national law.*** Text Origin: Council Mandate
Article 24(5)				
301	5. The Commission Decisions containing individual information requests shall contain a reference to the implementing act referred to in paragraph 2 on which they are based and to the situations of severe crisis-related shortages or an immediate threat thereof which has given rise to them. Any information request shall be duly justified and proportionate in terms of the volume, nature and granularity of the data, as well as the frequency of access to the data requested, and shall be necessary for the management of the emergency or for compiling relevant official statistics. A request shall set out a reasonable time limit within which the information is to be provided. It shall take into account the effort required to collect and make the data available by the economic operator or representative organisation. The formal decision shall also contain safeguards for protection of data in accordance with Article 39 of this Regulation, safeguards for non-disclosure of sensitive business information contained in the reply in	5. The Commission ~~*Decisions*~~***recommendation*** containing individual information requests shall contain a reference ~~*to the implementing act referred to in paragraph 2 on which they are based and*~~ to the situations of severe crisis-related shortages or an immediate threat thereof which has given rise to them. Any information request shall be duly justified and proportionate in terms of the volume, nature and granularity of the data, as well as the frequency of access to the data requested, and shall be necessary for the management of the emergency ~~*or for compiling relevant official statistics*~~. A request shall set out a reasonable time limit ***not exceeding 14 days*** within which the information is to be provided. ***The operator may request a one-time extension to the time limit until two days prior to its expiration in the event that the gravity of the situation requires such extension. The Commission shall respond, within one working day, to any such request for an***	5. The Commission decisions containing individual information requests **adopted pursuant to paragraph 4** shall contain a reference to the implementing act referred to in paragraph 2 on which they are based and to the situations of severe crisis-related shortages or an immediate threat thereof which has given rise to them. Any information request shall be duly justified and proportionate in terms of the volume, nature and granularity of the data, as well as the frequency of access to the data requested, and shall be necessary for the management of the emergency ~~or for compiling relevant official statistics~~. A request shall set out a reasonable time limit **not exceeding 20 working days** within which the information ~~is~~**or the justification for the refusal to supply such information are** to be provided. ~~It shall take into account the effort required to collect and make the data available by the economic operator or representative organisation. The formal~~ **When setting this time limit**	5. The Commission decisions containing individual information requests ***adopted pursuant to paragraph 4*** shall contain a reference to the implementing act referred to in paragraph 2 on which they are based and to the situations of severe crisis-related shortages or an immediate threat thereof which has given rise to them. Any information request shall be duly justified and proportionate in terms of the volume, nature and granularity of the data, as well as the frequency of access to the data requested, and shall be necessary for the management of the emergency ~~*or for compiling relevant official statistics*~~. A request shall set out a reasonable time limit ***not exceeding 20 working days*** within which the information ~~*is*~~***or the justification for the refusal to supply such information are*** to be provided. ***The operator may request a one-time extension to the time limit until two days prior to its expiration in the event that the gravity of the situation requires such extension.***

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	accordance with Article 25, and information on the possibility of contesting it before the Court of Justice of the European Union in line with relevant Union law and the fines provided for in Article 28 for failure to comply and the timeline for a reply.	***extension to the time limit.*** It shall take into account the effort required to collect and make the data available by the economic operator ~~*or representative organisation. The formal decision*~~. ***The recommendation*** shall also contain safeguards for protection of data in accordance with Article 39 of this Regulation, safeguards for non-disclosure of sensitive business information ~~*contained in the reply in accordance with Article 25, and information on the possibility of contesting it before the Court of Justice of the European Union in line with relevant Union law and the fines provided for in*~~ ***and safeguards for non-disclosure of trade secrets and intellectual property in the reply in accordance with*** Article ~~*28 for failure to comply and the timeline for a reply*~~***25***.	**the Commission shall in particular take into consideration the size of the undertaking concerned in terms of employees. . The** decision shall also contain safeguards for protection of data in accordance with Article 39 of this Regulation, safeguards for non-disclosure of sensitive business information **and trade secrets** contained in the reply in accordance with Article ~~25~~**40 a**, and information on the possibility of contesting it before the Court of Justice of the European Union in line with relevant Union law and the fines provided for in Article 28 for failure to comply and the timeline for a reply.	***The Commission shall respond, within one working day, to any such request for an extension to the time limit*** ~~*It shall take into account the effort required to collect and make the data available by the economic operator or representative organisation*~~. ***When setting this time limit the Commission shall in particular take into consideration the size of the undertaking concerned in terms of employees and its effort to collect and make information available. The*** ~~*The formal*~~ decision shall also contain safeguards for protection of data in accordance with Article ~~*39*~~***40*** of this Regulation, safeguards for non-disclosure of sensitive business information ***and safeguards for non-disclosure of trade secrets and intellectual property*** contained in the reply in accordance with Article ~~*25*~~***40a***, and information on the possibility of contesting it before the Court of Justice of the European Union in line with relevant Union law and the ~~*fines provided for in Article 28 for failure to comply and the*~~ timeline for a reply.
Article 24(6)				
302	6. The owners of the economic operators or their representatives and, in the case of legal persons,	6. The owners of the economic operators or ~~*their representatives and, in the case of legal persons,*~~	6. ~~The owners of the~~**Relevant** economic operators or ~~their representatives and, in the case of~~	6. ~~*The owners of the*~~***Relevant*** economic operators or ~~*their representatives and, in the case of*~~

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	companies or firms, or associations having no legal personality, the persons authorised to represent them by law or by their constitution may supply the information requested on behalf of the economic operator or the association of economic operators concerned. Each economic operator or association of economic operators shall provide the requested information on an individual basis in line with the Union rules on competition governing the exchange of information. Lawyers duly authorised to act may supply the information on behalf of their clients. The latter shall remain fully responsible if the information supplied is incomplete, incorrect or misleading.	~~*companies or firms, or associations having no legal personality,*~~ the persons authorised to represent them by law or by their constitution may supply the information requested on behalf of the economic operator ~~*or the association of economic operators*~~ concerned. Each economic operator ~~*or association of economic operators*~~ shall provide the requested information on an individual basis in line with the Union rules on competition governing the exchange of information. Lawyers duly authorised to act may supply the information on behalf of their clients. The latter shall remain fully responsible if the information supplied is incomplete, incorrect or misleading.	~~legal persons, companies or firms, or associations having no legal personality, the persons~~**anyone duly** authorised to represent ~~them by law or by their constitution~~**the economic operator** may supply the information requested on behalf of the economic operator ~~or the association of economic operators~~ concerned. Each **relevant** economic operator ~~or association of economic operators~~ shall provide the requested information on an individual basis in line with the Union rules on competition governing the exchange of information. ~~Lawyers duly authorised to act may supply the information on behalf of their clients. The latter shall remain fully responsible if the information supplied is incomplete, incorrect or misleading.~~	~~*legal persons, companies or firms, or associations having no legal personality, the persons*~~***anyone duly*** authorised to represent ~~*them by law or by their constitution*~~***the economic operator*** may supply the information requested on behalf of the economic operator ~~*or the association of economic operators*~~ concerned. Each ***relevant*** economic operator ~~*or association of economic operators*~~ shall provide the requested information on an individual basis in line with the Union rules on competition governing the exchange of information. ~~*Lawyers duly authorised to act may supply the information on behalf of their clients. The latter shall remain fully responsible if the information supplied is incomplete, incorrect or misleading.*~~
Article 24(7)				
303	7. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions whereby the Commission has imposed a mandatory information request to an economic operator.	*deleted*	*deleted*	*deleted*
Article 24(8)				
304				

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	8. The implementing acts referred to in paragraph 2 shall be adopted in accordance with the committee procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	*deleted*	8. The implementing acts referred to in paragraph 2 shall be adopted in accordance with the ~~committee~~**examination** procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	8. The implementing acts referred to in paragraph 2 shall be adopted in accordance with the ~~*committee*~~***examination*** procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the ~~*Single*~~***internal*** market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).
Article 24(8a)				
304a			**8a. The information requests shall not entail the supply of information the disclosure of which would be contrary to the Member States' national security interests.**	***8a. The information requests shall not entail the supply of information the disclosure of which would be contrary to the essential interests of Member States' national security.***
Article 25				
305	Article 25 Confidentiality and processing of the information	Article 25 Confidentiality and processing of the information	~~Article 25~~ *deleted*	~~*Article 25*~~ *deleted*
Article 25(1)				
306	*1.* Information received as a result of the application of this Regulation shall be used only for the purpose	1. Information received ***from liaison offices of the Member States, the Board, economic***	*deleted*	*deleted*

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	for which it was requested.	***operators or any other source*** as a result of the application of this Regulation shall be used only for the purpose for which it was requested.		
Article 25(2)				
307	*2.* Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive and confidential information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and the respective national law.	2. Member States and the Commission shall ensure the protection of trade and business secrets***, intellectual property,*** and other sensitive and confidential information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and the respective national law.	*deleted*	*deleted*
Article 25(3)				
308	*3.* Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.	*deleted*	*deleted*
Article 25(4)				
309	*4.* The Commission may present to the advisory group referred to in Article 4 aggregate information	4. The Commission may present to the ~~*advisory group referred to in Article 4*~~***Board*** aggregate	*deleted*	*deleted*

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	based on any information collected pursuant to Article 24.	information based on any information collected pursuant to Article 24.		
Article 25(5)				
310	*5.* The Commission shall not share any information in a way that can lead to the identification of an individual operator when the sharing of the information results in potential commercial or reputational damage to this operator or in divulging any trade secrets.	5. The Commission shall not share any information in a way that can lead to the identification of an individual operator when the sharing of the information results in potential commercial or reputational damage to this operator or in divulging any trade secrets.	*deleted*	*deleted*
Article 25(5a)				
310a		***5a. Any information obtained through information requests shall be deleted immediately upon the expiration of the internal market emergency mode, or earlier if all relevant reports pertaining to the internal market emergency mode have been submitted. The Commission and Member States shall send a confirmation of the deletion of that information to the economic operators affected immediately after its deletion.***		*deleted*
Article 26				
311	Article 26		Article 26	Article 26

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	Targeted amendments to harmonised product legislation	*deleted*	Targeted amendments to harmonised product legislation	~~*Targeted amendments to harmonised*~~***Activation of emergency procedures in relevant Union*** product legislation
Article 26, first paragraph				
312	When the Single Market emergency mode has been activated by means of a Council implementing act adopted pursuant to Article 14, and there is a shortage of crisis relevant goods the Commission may activate by means of implementing acts the emergency procedures included in the Union legal frameworks amended by [Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 and introducing emergency procedures for the conformity assessment, adoption of common specifications and market surveillance in the context of a Single Market emergency and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU,	*deleted*	When the Single Market emergency mode has been activated by means of a Council implementing act adopted pursuant to Article 14, and there is a shortage of ~~crisis relevant~~**crisis-relevant** goods the Commission may activate by means of implementing acts the emergency procedures included in the Union legal frameworks amended by [Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 ~~and introducing~~**as regards** emergency procedures for the conformity assessment, adoption of common specifications and market surveillance ~~in the context of~~**due to** a Single Market emergency and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU,	When the ~~*Single*~~***internal*** market emergency mode has been activated by means of a Council implementing act adopted pursuant to Article 14, and there is a shortage of ~~*crisis relevant*~~***crisis-relevant*** goods the Commission may activate by means of implementing acts the emergency procedures included in the Union legal frameworks amended by ~~*[*~~Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/424, Regulation (EU) 2016/425, Regulation (EU) 2016/426, Regulation (EU) 2019/1009 and Regulation (EU) No 305/2011 ~~*and introducing*~~***as regards*** emergency procedures for the conformity assessment, adoption of common specifications and market surveillance ~~*in the context of a Single*~~***due to an internal*** market emergency and Directive of the European Parliament and of the Council amending Directives 2000/14/EC, 2006/42/EC, 2010/35/EU, 2013/29/EU, 2014/28/EU, 2014/29/EU,

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	2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, and2014/68/EU and introducingas regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance in the context ofdue to a Single Market] as regards crisis-relevant goods, indicating which crisis-relevant goods and emergency procedures are subject to the activation, providing reasons for such activation and its proportionality, and indicating the duration of such activation .		2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, ~~and~~2014/68/EU ~~and introducingas~~ **and 2014/68/EU as** regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance ~~in the context ofdue~~**due** to a Single Market **emergency**][1] as regards crisis-relevant goods, indicating which crisis-relevant goods and emergency procedures are subject to the activation, providing reasons for such activation and its proportionality, and indicating the duration of such activation~~.~~ _____ **1. Discussions on these proposals ongoing in the Council preparatory bodies.**	2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, ~~and2014/68/EU and introducingas~~ ***and 2014/68/EU as*** regard emergency procedures for the conformity assessment, adoption of common specifications and market surveillance ~~*in the context ofdue to a Single*~~***due to an internal*** market~~*/*~~ ***emergency*** as regards crisis-relevant goods, indicating which crisis-relevant goods and emergency procedures are subject to the activation, providing reasons for such activation and its proportionality, and indicating the duration of such activation~~.~~
Article 26, second paragraph				
313	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	*deleted*	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the ~~*Single*~~***internal*** market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

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Article 27				
314	Article 27 Priority rated orders	Article 27 Priority rated orders	~~Article 27~~ *deleted*	Article 27 ~~*Priority rated orders*~~***Priority-rated requests***
Article 27(1)				
315	1. The Commission may invite one or more economic operators in crisis-relevant supply chains established in the Union to accept and prioritise certain orders for the production or supply of crisis-relevant goods ('priority rated order').	1. The Commission***,*** may invite***, on a voluntary basis,*** one or more economic operators in crisis-relevant supply chains established in the Union to accept and prioritise certain orders for the production or supply of crisis-relevant goods ('priority rated order')***. The Commission shall specify all relevant information, including the quantity of the crisis-relevant goods and services, the delivery time and the price and shall inform the European Parliament thereof.***	*deleted*	1. The Commission may***, in exceptional situations, after consulting the Member State(s) in which the*** ~~*invite one or more*~~ economic operators ~~*in crisis-relevant supply chains*~~***are established, and taking utmost account of its/their view(s), address a request to one or more economic operators*** established in the Union to accept and prioritise certain ~~*orders*~~ ***requests*** for the ***production or supply*** ~~*production or supply*~~ of crisis-relevant goods ***('priority-rated requests') when:*** ***(a) there is a severe and persistent shortage of the crisis-relevant goods subject to the request; and*** ***(b) the production or supply of such goods could not be achieved by other measures provided for in this Regulation, including those referred to in Article 33 or in Part V***~~*('priority rated order')*~~. ***Recital on Commission ex-ante analysis***

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Article 27(1a)				
315a				***1a. The Commission must demonstrate that the choice of the recipients and beneficiaries of the requests is non-discriminatory and complies with competition rules.***
Article 27(1b)				
315b				
Article 27(2)				
316	2. If an economic operator does not accept and prioritise priority rated orders, the Commission may, at its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders in such cases, the Commission shall give the economic operator concerned as well as any parties demonstrably affected by the potential priority rated order, the opportunity to state their position within a reasonable time limit set by the Commission in light of the circumstances of the case. In exceptional circumstances, following such an assessment, the Commission may address an implementing act to the economic operator concerned, requiring it to either accept and prioritise the	2. If an economic operator does not accept ~~and~~***or*** prioritise priority rated orders, the Commission may, ~~at~~***on*** its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders. In such cases, the Commission shall give– the economic operator concerned as well as any parties demonstrably affected by the potential priority rated order, the opportunity to state their position within a reasonable time limit set by the Commission in light of the circumstances of the case. In exceptional circumstances, following such an assessment ***and taking into due consideration the opinion of the Board***, the Commission may address an	*deleted*	2. ~~*If an economic operator does not accept and prioritise priority rated orders, the Commission may, at its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders in such cases, the Commission shall give the economic operator concerned*~~***The Commission shall base its request on objective, factual, measurable and substantiated data, showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the internal market,*** as well as ~~*any parties demonstrably affected by the potential priority rated order, the opportunity to state their position within a reasonable time limit set by*~~

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	priority rated orders specified in the implementing act or explain why it is not possible or appropriate for that operator to do so. The Commission's decision shall be based on objective data showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the Single Market	implementing act to the economic operator concerned, requiring it to either accept and prioritise the priority rated orders specified in the implementing act or explain ***in writing*** why it is not possible or appropriate for that operator to do so. ***Where the consideration of the Commission diverges from the opinion of the Board, the Commission shall provide a substantiated justification.*** The Commission's decision shall be based on objective data ***which is factual, measurable and substantiated,*** showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the ~~Single~~***internal*** market.	PUBLIC	~~*the Commission in light of the circumstances*~~***having regard to the legitimate interests*** of the ~~*case. In exceptional circumstances, following such an assessment, the Commission may address an implementing act to the*~~ economic operator ~~*concerned, requiring it to either accept and prioritise the priority rated orders specified in the implementing act or explain why it is not possible or appropriate for that operator to do so*~~***and the cost and effort required for any change in production sequence the supply chain***. The Commission's ~~*decision*~~***request*** shall ~~*be based on objective data showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the Single Market*~~***explicitly indicate that the economic operator remains free to refuse the request.***
Article 27(2a)				
316a				
Article 27(3)				
317	3. Where the economic operator to which the decision referred to in paragraph 2 is addressed accepts the requirement to accept and prioritise	3. Where the economic operator to which the decision referred to in paragraph 2 is addressed accepts the requirement to accept and prioritise	*deleted*	3. Where the economic operator to which the ~~*decision*~~***request*** referred to in paragraph ~~*2*~~***1*** is addressed ~~*accepts the requirement to accept*~~

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	the orders specified in the decision, that obligation shall take precedence over any performance obligation under private or public law.	the orders specified in the decision, that obligation shall take precedence over any performance obligation under private or public law.		~~*and prioritise the orders specified in the decision, that obligation*~~***has expressly accepted the request to prioritise the requests, the Commission shall adopt an implementing act providing for:*** ***(a) the legal basis of the priority-rated requests which has to be complied with by the economic operator;*** ***(b) the goods subject to the priority-rated requests and quantity in which they are to be supplied;*** ***(c) the time limits within which the priority-rated request is to be completed; and*** ***(d) the beneficiaries of the priority-rated requests; and*** ***(e) the waiver of contractual liability under the conditions laid down in paragraph 3b.*** ***3a. The priority-rated requests shall be placed at a fair and reasonable price adequately taking into account the economic operator's opportunity costs when fulfilling the priority-rated requests vis-à-vis existing contractual obligations.*** ***The priority-rated requests*** shall take precedence over any ~~*performance*~~***prior private or public contractual*** obligation ***related to the goods subject to the priority-rated request*** under private or public law.

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				3b. The economic operator subject to that priority-rated requests shall not be liable for any breach of contractual obligation that is governed by the law of a Member State, only to the extent that: ***(a) the breach of contractual obligations is necessary for compliance with the required prioritisation;*** ***(b) the implementing act referred to in paragraph 3 has been complied with; and*** ***(c) the acceptance of the priority-rated request was not solely made with a view to unduly avoiding a prior performance obligation.***
Article 27(4), first subparagraph				
G 318	4. Where the economic operator to which the decision referred to in paragraph 2 is addressed declines to accept the requirement to accept and prioritise the orders specified in the decision, it shall provide to the Commission, within 10 days from the notification of the decision, a reasoned explanation setting out duly justified reasons why it is not possible or appropriate, in light of the objectives of this provision, for it to comply with the requirement. Such reasons include the inability of the operator to perform the priority rated order on account of insufficient	4. Where the economic operator to which the decision referred to in paragraph 2 is addressed declines to accept the requirement to accept and prioritise the orders specified in the decision, it shall provide to the Commission, within 10 days from the notification of the decision, a reasoned explanation setting out duly justified reasons why it is not possible or appropriate, ~~*in light of the objectives of this provision,*~~ for it to comply with the requirement. Such reasons include the inability of the operator to perform the priority rated order ~~*on account of*~~***due to***	*deleted*	4. ~~*Where the economic operator to which the decision referred to in paragraph 2 is addressed declines to accept the requirement to accept and prioritise the orders specified in the decision, it*~~***The priority-rated requests*** shall ~~*provide to the Commission, within 10 days from the notification of the decision, a reasoned explanation setting out duly justified reasons why it is not possible or appropriate, in light of the objectives of this provision, for it to comply with the requirement. Such reasons include the inability of the operator to perform the priority*~~ G

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	production capacity or a serious risk that accepting the order would entail particular hardship or economic burden for the operator, or other considerations of comparable gravity.	insufficient production capacity or a serious risk that accepting the order would entail particular hardship or economic burden for the operator, ***taking into account, in particular, the prices and quantities specified by the Commission,*** or other considerations of comparable gravity. ***These reasons could entail the legitimate aims of the undertaking concerned and the cost, effort, technical practicality, and long-term business consequences, required for any change in production sequence.***		~~*rated order on account of insufficient production capacity or a serious risk that accepting the order would entail particular hardship or economic burden for the operator, or other considerations of comparable gravity*~~***not include goods the production or supply of which would be contrary to the essential interests of Member States' national security or defence***.
Article 27(4), second subparagraph				
319	The Commission may make such reasoned explanation or parts of it public, with due regard to business confidentiality.	*deleted*	*deleted*	*deleted*
Article 27(5)				
320	5. When an economic operator established in the Union is subject to a measure of a third country which entails a priority rated order, it shall inform the Commission thereof.	5. When an economic operator established in the Union is subject to a measure of a third country which entails a priority rated order, it shall inform the Commission thereof.	*deleted*	5. ~~*When an economic operator established in the Union is subject to a measure of a third country which entails a priority rated order, it shall inform the Commission thereof*~~***The Commission shall adopt the implementing act referred to in paragraph 3 in accordance with applicable Union law, including the principles of necessity and***

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				proportionality, and the Union's obligations under international law.
Article 27(6)				
321	6. The Commission shall take the decision referred to in paragraph 2 in accordance with applicable Union law, including the principles of necessity and proportionality, and the Union's obligations under international law. The decision shall in particular take into account the legitimate interests of the economic operator concerned and any available information concerning the cost and effort required for any change in production sequence. It shall state the legal basis for its adoption, fix the time limits within which the priority rated order is to be performed and, where applicable, specify the product and quantity. It shall state the fines provided for in Article 28 for failure to comply with the decision. The priority rated order shall be placed at a fair and reasonable price.	6. The Commission shall take the decision referred to in paragraph 2 in accordance with applicable Union law, including the principles of necessity and proportionality, and the Union's obligations under international law. The decision shall in particular take into account the legitimate interests of the economic operator concerned and any available information concerning the cost and effort required for any change in production sequence. It shall state the legal basis for its adoption, fix the time limits within which the priority rated order is to be performed and, where applicable, specify the product***, the price*** and quantity. It shall state the fines provided for in Article 28 for failure to comply with the decision.– The priority rated order shall be placed at a fair and reasonable price***, which shall include, where relevant, an appropriate compensation for all additional costs incurred by the economic operator***.	*deleted*	6. The ~~*Commission shall take the decision*~~***implementing act*** referred to in paragraph ~~*2 in accordance with applicable Union law, including the principles of necessity and proportionality, and the Union's obligations under international law. The decision*~~***3*** shall ~~*in particular take into account the legitimate interests of the economic operator concerned and any available information concerning the cost and effort required for any change in production sequence. It shall state the legal basis for its adoption, fix the time limits within which the priority rated order is to be performed and, where applicable, specify the product and quantity. It shall state the fines provided for*~~ ***be adopted in accordance with the examination procedure referred to*** in Article ~~*28 for failure to comply with the decision. The priority rated order shall be placed at a fair and reasonable price*~~***42(2)***.
Article 27(7)				
322				

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	7. Where an economic operator accepts and prioritises a priority rated order, it shall not be liable for any breach of contractual obligations governed by the law of a Member State that is required to comply with the priority rated order. Liability shall be excluded only to the extent the violation of contractual obligations is necessary for compliance with the required prioritisation.	7. Where an economic operator accepts and prioritises a priority rated order, it shall not be liable for any breach of contractual obligations governed by the law of a Member State that is required to comply with the priority rated order. Liability shall be excluded only to the extent the violation of contractual obligations is necessary for compliance with the required prioritisation.	*deleted*	7. Where an economic operator**,** ***after having expressly accepted to prioritise the orders requested by the the Commission, intentionally or through gross negligence, does not comply with the obligation to prioritise those orders, the Commission may by means of a decision, where deemed necessary and proportionate, impose a fine on the economic operator concerned. That fine*** ~~*accepts and prioritises a priority rated order, it shall not be liable for any breach of contractual obligations governed by the law of a Member State that is required to comply with the priority rated order. Liability*~~ shall ~~*be excluded only to the extent the violation of contractual obligations is necessary for compliance with the required prioritisation*~~***not exceed 100 000 EUR. Fines imposed on economic operators that are SMEs, as defined in Recommendation 2003/361/EC, shall not exceed 25 000 EUR***.
Article 27(7a)				
322a				*deleted*
Article 27(8)				
323	*8.* The implementing acts referred to	8. The implementing acts referred to		

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	in paragraph 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	in paragraph 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).	*deleted*	*deleted*
Article 28				
324	Article 28 Fines to operators for failure to comply with the obligation to reply to mandatory information requests or to comply with priority rated orders	Article 28 Fines to operators for failure to comply with ~~*the obligation to reply to mandatory information requests or to comply with priority rated*~~***priority-rated*** orders	Article 28 Fines to operators for failure to comply with the obligation to reply to mandatory information requests ~~or to comply with priority rated orders~~	Article 28 Fines to ***economic*** operators for failure to comply with ~~*the obligation to reply to mandatory information requests or to comply with priority rated orders*~~***an accepted priority-rated request***
Article 28(1)				
325	1. The Commission may, by means of a decision, where deemed necessary and proportionate, impose fines:	1. The Commission may, by means of a decision, where deemed necessary and proportionate, impose fines:	1. The Commission may, by means of a decision, where deemed necessary and proportionate, impose fines:	*deleted*
Article 28(1), point (a)				
326	*(a)* where a representative organisation of economic operators or an economic operator,	*deleted*	(a) where ~~a representative organisation of economic operators or~~ an economic operator,	*deleted*

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	intentionally or through gross negligence, supplies incorrect, incomplete or misleading information in response to a request made pursuant to Article 24, or does not supply the information within the prescribed time limit;		intentionally or through gross negligence, supplies incorrect, incomplete or misleading information in response to a **mandatory** request made pursuant to **a decision referred to in** Article 24 **(4) , does not supply the information which it had accepted to provide**, or does not supply **a justification for not providing the requested** ~~the~~ information within the **time limit** prescribed ~~time limit~~**in the decision referred to in Article 24(4)**;	
Article 28(1), point (b)				
G	*327*	*(b)* where an economic operator, intentionally or through gross negligence, does not comply with the obligation to inform the Commission of a third country obligation pursuant to Article 27 or fails to explain why it has not accepted a priority rated order;	(b) where an economic operator, intentionally or through gross negligence, does not comply with the obligation to inform the Commission of a third country obligation pursuant to Article 27 or fails to explain why it has not accepted a priority rated order;	*deleted*	*deleted*
Article 28(1), point (c)				
G	*328*	*(c)* where an economic operator, intentionally or through gross negligence, does not comply with an obligation which it has accepted to prioritise certain orders of crisis-relevant goods ('priority rated order') pursuant to Article 27	(c) where an economic operator, intentionally or through gross negligence, does not comply with an obligation which it has accepted to prioritise certain orders of crisis-relevant goods ('priority rated order') pursuant to Article 27	*deleted*	*deleted*

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Article 28(2)				
329	*2.* Fines imposed in the cases referred to in paragraph 1 (a) and (b) shall not exceed 200 000 EUR.	2. Fines imposed in the cases referred to in paragraph 1 ~~*(a) and*~~ (b) shall not exceed 200 000 EUR. ***Fines imposed on economic operators that are SMEs, as defined in Recommendation 2003/361/EC, shall not exceed 25 000 EUR.***	2. Fines imposed in the cases referred to in paragraph 1 (a) **shall not exceed 100 000 EUR. If the concerned economic operator is an SME, the fines imposed** ~~and (b)~~ shall not exceed ~~200 000~~ EUR **50 000**.	*deleted*
Article 28(3)				
330	*3.* Fines imposed in the cases referred to in paragraph 1 (c) shall not exceed 1 % of the average daily turnover in the preceding business year for each working day of non-compliance with the obligation pursuant to Article 27 (priority rated orders) calculated from the date established in the decision not exceeding 1% of total turnover in the preceding business year.	3. Fines imposed in the cases referred to in paragraph 1 (c) shall not exceed 1 % of the average daily turnover in the preceding business year for each working day of non-compliance with the obligation pursuant to Article 27 (priority rated orders) calculated from the date established in the decision not exceeding 1% of ***the global turnover in the preceding business year. Fines imposed on economic operators that are SMEs, as defined in Recommendation 2003/361/EC, shall not exceed 0,25% of the global*** total turnover in the preceding business year.	*deleted*	*deleted*
Article 28(4)				
331	*4.* In fixing the amount of the fine,	4. In fixing the amount of the fine,	4. In fixing the amount of the fine,	~~*4*~~***1***. In fixing the amount of the fine

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	regard shall be had to the size and economic resources of the economic operator concerned, to the nature, gravity and duration of the infringement, taking due account of the principles of proportionality and appropriateness.	~~regard~~***the Commission*** shall ~~***be had to***~~***take into account*** the size and economic resources of the economic operator concerned, to the nature, gravity and duration of the infringement, taking due account of the principles of proportionality and appropriateness. ***The impact of the crisis on the economic operator and its business activities shall also be taken into account.***	regard shall be had to the size and economic resources of the economic operator concerned, to the nature, gravity and duration of the infringement, taking due account of the principles of proportionality and appropriateness.	***in Article 27(7)***, regard shall be had to the size and economic resources of the economic operator concerned, to the nature, gravity and duration of the infringement, taking due account of the principles of proportionality and appropriateness.
Article 28(5)				
G 332	5. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions whereby the Commission has fixed a fine. It may cancel, reduce or increase the fine imposed.	5. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions whereby the Commission has fixed a fine. It may cancel, reduce or increase the fine imposed.	5. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions whereby the Commission has fixed a fine. It may cancel, reduce or increase the fine imposed.	~~5~~***2***. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions whereby the Commission has fixed a fine ***in Article 27(7)***. It may cancel, reduce or increase the fine imposed.
Article 29				
G 333	Article 29 Limitation period for the imposition of fines	Article 29 Limitation period for the imposition of fines	Article 29 Limitation period for the imposition of fines	Article 29 Limitation period for the imposition of fines
Article 29(1)				
Y 334	1. The Commission power to impose fines in accordance with Article 30 shall be subject to the following limitation periods:	1. The Commission power to impose fines in accordance with Article 30 shall be subject to the following limitation periods:	1. The Commission power to impose fines in accordance with Article ~~30~~**28** shall be subject to the following limitation periods:	1. The Commission power to impose fines in accordance with Article ~~30~~***27(7) and Article 28*** shall be subject to ~~***the following***~~***a two-year***

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				limitation periods~~.~~
Article 29(1), point (a)				
335	(a) two years in the case of infringements of provisions concerning requests of information pursuant to Article 24;	*deleted*	(a) two years in the case of infringements of provisions concerning **mandatory** requests of information **made** pursuant to **the decision referred to in** Article ~~24~~**24(4)**;	*deleted*
Article 29(1), point (b)				
336	*(b)* three years in the case infringements of provisions concerning the obligation to prioritise the production of crisis-relevant goods pursuant to Article 26(2).	(b) three years in the case infringements of provisions concerning the obligation to prioritise the production of crisis-relevant goods pursuant to Article ~~*26(2)*~~*27*.	*deleted*	*deleted*
Article 29(2)				
337	*2.* The time shall begin to run on the day on which the Commission becomes aware of the infringement. However, in case of continuous or repeated infringements, time shall begin to run on the day on which the infringement ceases	2. The time shall begin to run on the day on which the Commission becomes aware of the infringement. However, in case of continuous or repeated infringements, time shall begin to run on the day on which the infringement ceases	2. The time shall begin to run on the day on which the Commission becomes aware of the infringement. However, in case of continuous or repeated infringements, time shall begin to run on the day on which the infringement ceases**.**	2. The time shall begin to run on the day on which the Commission becomes aware of the infringement. However, in case of continuous or repeated infringements, time shall begin to run on the day on which the infringement ceases.
Article 29(3)				
338	3. Any action taken by the	3. Any action taken by the	3. Any action taken by the	3. Any action taken by the

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	Commission or the competent authorities of the Member States for the purposes of ensuring compliance with the provisions of this Regulation shall interrupt the limitation period.	Commission or the competent authorities of the Member States for the purposes of ensuring compliance with the provisions of this Regulation shall interrupt the limitation period.	Commission or the competent authorities of the Member States for the purposes of ensuring compliance with the provisions of this Regulation shall interrupt the limitation period.	Commission or the competent authorities of the Member States for the purposes of ensuring compliance with the provisions of this Regulation shall interrupt the limitation period.
Article 29(4)				
339	4. The interruption of the limitation period shall apply for all the parties which are held responsible for the participation in the infringement.	4. The interruption of the limitation period shall apply for all the parties which are held responsible for the participation in the infringement.	4. The interruption of the limitation period shall apply for all the parties which are held responsible for the participation in the infringement.	4. The interruption of the limitation period shall apply for all the parties which are held responsible for the participation in the infringement.
Article 29(5)				
340	5. Each interruption shall start the time running afresh. However, the limitation period shall expire at the latest on the day in which a period equal to twice the limitation period has elapsed without the Commission having imposed a fine. That period shall be extended by the time during which the limitation period is suspended because the decision of the Commission is the subject of proceedings pending before the Court of Justice of the European Union.	5. Each interruption shall start the time running afresh. However, the limitation period shall expire at the latest on the day in which a period equal to twice the limitation period has elapsed without the Commission having imposed a fine. That period shall be extended by the time during which the limitation period is suspended because the decision of the Commission is the subject of proceedings pending before the Court of Justice of the European Union.	5. Each interruption shall start the time running afresh. However, the limitation period shall expire at the latest on the day in which a period equal to twice the limitation period has elapsed without the Commission having imposed a fine. That period shall be extended by the time during which the limitation period is suspended because the decision of the Commission is the subject of proceedings pending before the Court of Justice of the European Union.	5. Each interruption shall start the time running afresh. However, the limitation period shall expire at the latest on the day in which a period equal to twice the limitation period has elapsed without the Commission having imposed a fine. That period shall be extended by the time during which the limitation period is suspended because the decision of the Commission is the subject of proceedings pending before the Court of Justice of the European Union.
Article 30				
341	Article 30	Article 30	Article 30	Article 30

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	Limitation periods for enforcement of fines	Limitation periods for enforcement of fines	Limitation periods for enforcement of fines	Limitation periods for enforcement of fines
Article 30(1)				
342	1. The power of the Commission to enforce decisions taken pursuant to Article 28 shall be subject to a limitation period of five years.	1. The power of the Commission to enforce decisions taken pursuant to Article 28 shall be subject to a limitation period of five years.	1. The power of the Commission to enforce decisions taken pursuant to Article 28 shall be subject to a limitation period of ~~five~~**three** years.	1. The power of the Commission to enforce decisions taken pursuant to Article ~~28~~*27(7)* shall be subject to a limitation period of five years.
Article 30(2)				
343	2. Time shall begin to run on the day on which the decision becomes final.	2. Time shall begin to run on the day on which the decision becomes final.	2. Time shall begin to run on the day on which the decision becomes final.	2. Time shall begin to run on the day on which the decision becomes final.
Article 30(3)				
344	3. The limitation period for the enforcement of fines shall be interrupted:	3. The limitation period for the enforcement of fines shall be interrupted:	3. The limitation period for the enforcement of fines shall be interrupted:	3. The limitation period for the enforcement of fines shall be interrupted:
Article 30(3), point (a)				
345	(a) by notification of a decision varying the original amount of the fine or refusing an application for variation;	(a) by notification of a decision varying the original amount of the fine or refusing an application for variation;	(a) by notification of a decision varying the original amount of the fine or refusing an application for variation;	(a) by notification of a decision varying the original amount of the fine or refusing an application for variation;
Article 30(3), point (b)				
346	(b) by any action of the	(b) by any action of the	(b) by any action of the	(b) by any action of the

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	Commission or of a Member State, acting at the request of the Commission, designed to enforce payment of the fine.	Commission or of a Member State, acting at the request of the Commission, designed to enforce payment of the fine.	Commission or of a Member State, acting at the request of the Commission, designed to enforce payment of the fine.	Commission or of a Member State, acting at the request of the Commission, designed to enforce payment of the fine.
Article 30(4)				
347	4. Each interruption shall start time running afresh.	4. Each interruption shall start time running afresh.	4. Each interruption shall start time running afresh.	4. Each interruption shall start time running afresh.
Article 30(5)				
348	5. The limitation period for the enforcement of fines shall be suspended for so long as:	5. The limitation period for the enforcement of fines shall be suspended for so long as:	5. The limitation period for the enforcement of fines shall be suspended for so long as:	5. The limitation period for the enforcement of fines shall be suspended for so long as:
Article 30(5), point (a)				
349	(a) time to pay is allowed;	(a) time to pay is allowed;	(a) time to pay is allowed;	(a) time to pay is allowed;
Article 30(5), point (b)				
350	(b) enforcement of payment is suspended pursuant to a decision of the Court of Justice of the European Union.	(b) enforcement of payment is suspended pursuant to a decision of the Court of Justice of the European Union.	(b) enforcement of payment is suspended pursuant to a decision of the Court of Justice of the European Union.	(b) enforcement of payment is suspended pursuant to a decision of the Court of Justice of the European Union.
Article 31				
351	Article 31 Right to be heard for the imposition of fines	Article 31 Right to be heard for the imposition of fines	Article 31 Right to be heard for the imposition of fines	Article 31 Right to be heard for the imposition of fines

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Article 31(1)				
352	1. Before adopting a decision pursuant to Article 28, the Commission shall give the economic operator or representative organisations of economic operators concerned the opportunity of being heard on:	1. Before adopting a decision pursuant to Article 28, the Commission shall give the economic operator ~~*or representative organisations of economic operators*~~ concerned the opportunity of being heard on:	1. Before adopting a decision pursuant to Article 28, the Commission shall give the economic operator ~~or representative organisations of economic operators~~ concerned the opportunity of being heard on:	1. Before adopting a decision pursuant to Article ~~*28*~~***27(7)***, the Commission shall give the economic operator ~~*or representative organisations of economic operators*~~ concerned the opportunity of being heard on:
Article 31(1), point (a)				
353	(a) preliminary findings of the Commission, including any matter to which the Commission has taken objections;	(a) preliminary findings of the Commission, including any matter to which the Commission has taken objections;	(a) preliminary findings of the Commission, including any matter to which the Commission has taken objections;	(a) preliminary findings of the Commission, including any matter to which the Commission has taken objections;
Article 31(1), point (b)				
354	(b) measures that the Commission may intend to take in view of the preliminary findings pursuant to point (a) of this paragraph.	(b) measures that the Commission may intend to take in view of the preliminary findings pursuant to point (a) of this paragraph.	(b) measures that the Commission may intend to take in view of the preliminary findings pursuant to point (a) of this paragraph.	(b) measures that the Commission may intend to take in view of the preliminary findings pursuant to point (a) of this paragraph.
Article 31(2)				
355	2. Undertakings and representative organisations of economic operators concerned may submit their observations to the Commission's preliminary findings within a time limit which shall be fixed by the	2. ~~*Undertakings and representative organisations of*~~***The*** economic operators concerned may submit their observations to the Commission's preliminary findings within a time limit which shall be	2. ~~Undertakings and representative organisations of~~ Economic operators concerned may submit their observations to the Commission's preliminary findings within a time limit which shall be fixed by the	2. ~~*Undertakings and representative organisations of*~~***The*** economic operators concerned may submit their observations to the Commission's preliminary findings within a time limit which shall be

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	Commission in its preliminary findings and which may not be less than 21 days.	fixed by the Commission in its preliminary findings and which may not be less than 21 days.	Commission in its preliminary findings and which may not be less than 21 days.	fixed by the Commission in its preliminary findings and which may not be less than 21 days.
Article 31(3)				
G 356	3. The Commission shall base its decisions only on objections on which economic operators and representative organisations of economic operators concerned have been able to comment.	3. The Commission shall base its decisions only on objections on which economic operators ~~and representative organisations of economic operators~~ concerned have been able to comment.	3. The Commission shall base its decisions only on objections on which economic operators ~~and representative organisations of economic operators~~ concerned have been able to comment.	3. The Commission shall base its decisions only on objections on which economic operators ~~and representative organisations of economic operators~~ concerned have been able to comment.
Article 31(4)				
G 357	4. The rights of defence of the economic operator or representative organisations of economic operators concerned shall be fully respected in any proceedings. The economic operator or representative organisations of economic operators concerned shall be entitled to have access to the Commission's file under the terms of a negotiated disclosure, subject to the legitimate interest of economic operators in the protection of their business secrets. The right of access to the file shall not extend to confidential information and internal documents of the Commission or the authorities of the Member States. In particular, the right of access shall not extend to correspondence between the	4. The rights of defence of the economic operator ~~or representative organisations of economic operators~~ concerned shall be fully respected in any proceedings. The economic operator ~~or representative organisations of economic operators~~ concerned shall be entitled to have access to the Commission's file under the terms of a negotiated disclosure, subject to the legitimate interest of economic operators in the protection of their business secrets. The right of access to the file shall not extend to confidential information and internal documents of the Commission or the authorities of the Member States. In particular, the right of access shall not extend to correspondence between the	4. The rights of defence of the ~~economic operator or representative organisations of~~**relevant** economic ~~operators~~**operator** concerned shall be fully respected in any proceedings. The ~~economic operator or representative organisations of~~**relevant** economic ~~operators~~**operator** concerned shall be entitled to have access to the Commission's file under the terms of a negotiated disclosure, subject to the legitimate interest of economic operators in the protection of their business secrets. The right of access to the file shall not extend to confidential information and internal documents of the Commission or the authorities of the Member States. In particular, the right of access shall	4. The rights of defence of the economic operator ~~or representative organisations of economic operators~~ concerned shall be fully respected in any proceedings. The economic operator ~~or representative organisations of economic operators~~ concerned shall be entitled to have access to the Commission's file under the terms of a negotiated disclosure, subject to the legitimate interest of economic operators in the protection of their business secrets. The right of access to the file shall not extend to confidential information and internal documents of the Commission or the authorities of the Member States. In particular, the right of access shall not extend to correspondence between the

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	Commission and the authorities of the Member States. Nothing in this paragraph shall prevent the Commission from disclosing and using information necessary to prove an infringement.	Commission and the authorities of the Member States. Nothing in this paragraph shall prevent the Commission from disclosing and using information necessary to prove an infringement.	not extend to correspondence between the Commission and the authorities of the Member States. Nothing in this paragraph shall prevent the Commission from disclosing and using information necessary to prove an infringement.	Commission and the authorities of the Member States. Nothing in this paragraph shall prevent the Commission from disclosing and using information necessary to prove an infringement.
Chapter II				
358	Chapter II Other measures for ensuring availability of crisis-relevant goods and services	Chapter II Other measures for ensuring availability of crisis-relevant goods and services	Chapter II Other measures for ensuring availability of crisis-relevant goods and services	Chapter II Other measures for ensuring availability of crisis-relevant goods and services
Article 32				
359	Article 32 Coordinated distribution of strategic reserves	Article 32 ***Solidarity and*** coordinated distribution of strategic reserves	Article 32 Coordinated distribution of ~~strategic reserves~~ **crisis-relevant goods and services**	Article 32 ***Solidarity and*** coordinated distribution of ***crisis-relevant goods and services*** ~~*strategic reserves*~~
Article 32, first paragraph -a				
359a		***-1. In the event of a shortage of crisis-relevant goods and services affecting one or more Member States, the Member States concerned may notify the Commission thereof and indicate the quantities needed and any other relevant information. The Commission shall transmit the***		***1. In the event of a shortage of crisis-relevant goods and services affecting one or more Member States, the Member States concerned may notify the Commission thereof and indicate the quantities needed and any other relevant information. The Commission shall transmit the***

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		information to all competent authorities and streamline the coordination of Member States' responses.		***information to all competent authorities and streamline the coordination of Member States' responses.***
Article 32, first paragraph				
360	Where the strategic reserves constituted by the Member States in accordance with Article 12 prove to be insufficient to meet the needs related to the Single Market emergency, the Commission, taking into consideration the opinion provided by the advisory group, may recommend to the Member States to distribute the strategic reserves in a targeted way, where possible, having regard to the need not to further aggravate disruptions on the Single Market, including in geographical areas particularly affected by such disruptions and in accordance with the principles of necessity, proportionality and solidarity and establishing the most efficient use of reserves with a view to ending the Single Market emergency.	***1.*** Where the strategic reserves constituted by the Member States in accordance with Article ~~12~~***8a*** prove to be insufficient to meet the needs related to the ~~Single~~***internal*** market emergency, the Commission, ***duly*** taking into consideration the opinion provided by the ~~advisory group~~***Board***, may recommend to the Member States to distribute the strategic reserves in a targeted way, where possible, having regard to the need not to further aggravate disruptions on the ~~Single~~***internal*** market, including in geographical areas particularly affected by such disruptions and in accordance with the principles of necessity, proportionality and solidarity and establishing the most efficient use of reserves with a view to ending the ~~Single~~ ***internal*** market emergency.	Where the ~~strategic reserves constituted by the Member States in accordance with Article 12 prove to be insufficient~~**Commission is informed that crisis-relevant goods and services are insufficient in a Member State** to meet the needs related to the Single Market emergency, the Commission, taking into consideration the opinion provided by the ~~advisory group~~**Board and the information collected under this Regulation**, may recommend to ~~the~~**other** Member States to distribute ~~the strategic reserves~~**these crisis-relevant goods or services** in a targeted way, where possible, having regard to the need not to further aggravate disruptions on the Single Market, including in geographical areas particularly affected by such disruptions and in accordance with the principles of necessity, proportionality and solidarity and establishing the most efficient use of ~~reserves~~**crisis-relevant goods and services** with a view to ending the Single Market emergency.	***2.*** Where***, pursuant to paragraph 1, the Commission is informed that crisis-relevant goods and services are*** ~~the strategic reserves constituted by the Member States in accordance with Article 12 prove to be~~ insufficient ***in a Member State*** to meet the needs related to the ~~Single~~***internal*** market emergency, the Commission, taking into consideration the opinion provided by the ~~advisory group~~***Board and the information collected under this Regulation***, may recommend to ~~the~~***other*** Member States to distribute ~~the strategic reserves~~***these crisis-relevant goods or services*** in a targeted way, where possible, having regard to the need not to further aggravate disruptions on the ~~Single~~***internal*** market, including in geographical areas particularly affected by such disruptions and in accordance with the principles of necessity, proportionality and solidarity and establishing the most efficient use of ~~reserves~~***crisis-relevant goods and services*** with a view to ending the ~~Single~~ ***internal***

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				market emergency.
Article 33				
361	Article 33	Article 33	Article 33	Article 33
Article 33, first paragraph				
362	Measures to ensure the availability and supply of crisis-relevant goods and services	-Measures to ensure the availability and supply of crisis-relevant goods ~~and~~***or*** services	-Measures to ensure the availability and supply of crisis-relevant goods and services	-Measures to ensure the availability and supply of crisis-relevant goods ~~and~~***or*** services
Article 33(1)				
363	1. The Commission may, when it considers that there is a risk of a shortage of crisis-relevant goods, recommend that Member States implement specific measures to ensure the efficient re-organisation of supply chains and production lines and to use existing stocks to increase the availability and supply of crisis-relevant goods and services, as quickly as possible.	1. The Commission may, when it considers that there is a risk of a shortage of crisis-relevant goods~~,~~ ~~*recommend that Member States implement specific measures to ensure the efficient re-organisation of supply chains and production lines and to use existing stocks to increase the availability and*~~ ***and services, taking into account the opinion of the Board, recommend that Member States take specific measures, including to ensure the efficient*** supply ~~*of crisis-relevant goods and services, as quickly as possible*~~***chains and production lines***.	1. **Where** the Commission ~~may, when it considers~~**is informed** that there is a risk of a shortage of crisis-relevant goods **and services in a Member State to meet the needs related to the Single Market emergency, it may, taking into consideration the opinion by the Board**, recommend that Member States ~~implement~~**take** specific **measures. Those** measures ~~to~~**shall** ensure the efficient re-organisation of supply chains and production lines and ~~to use~~ **the use of** existing stocks to increase the availability and supply of crisis-relevant goods and services, as quickly as possible. **When issuing its recommendations, the**	1. ~~*The Commission may, when it considers*~~***Where, pursuant to Article 32(1), the Commission is informed*** that there is a risk of a shortage of crisis-relevant goods ***and services in a Member State to meet the needs related to the internal market emergency, it may, taking into consideration the opinion by the Board***, recommend that Member States ~~*implement*~~***take*** specific measures***. Those measures shall*** ~~*to*~~ ensure the efficient re-organisation of supply chains and production lines and ~~*to use*~~ ***the use of*** existing stocks to increase the availability and supply of crisis-relevant goods and services, as quickly as possible.

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			Commission shall consider the impact on economic operators of the measures recommended.	***Recital on when issuing its recommendations, the Commission shall consider the impact on economic operators of the measures recommended.***
Article 33(2)				
364	2. In particular, the measures referred to in paragraph 1 may include measures:	2. In particular, the measures referred to in paragraph 1 may include measures:	2. In particular, the measures referred to in paragraph 1 may include measures:	2. In particular, the measures referred to in paragraph 1 may include measures:
Article 33(2), point (a)				
365	(a) facilitating the expansion or repurposing of existing or the establishment of new production capacities for crisis-relevant goods;	(a) facilitating the expansion or repurposing of existing or the establishment of new production capacities for crisis-relevant goods ***or services***;	(a) facilitating the expansion or repurposing of existing or the establishment of new production capacities for crisis-relevant goods;	(a) facilitating the expansion or repurposing of existing or the establishment of new production capacities for crisis-relevant goods;
Article 33(2), point (b)				
366	(b) facilitating the expansion of existing or the establishment of new capacities related to service activities;	(b) facilitating the expansion of existing or the establishment of new capacities related to service activities;	(b) facilitating the expansion of existing or the establishment of new capacities related to service activities;	(b) facilitating the expansion of existing or the establishment of new capacities related to service activities;
Article 33(2), point (c)				
367	(c) aiming at accelerating permitting of crisis-relevant goods.	(c) aiming at accelerating permitting of crisis-relevant goods.	(c) aiming at accelerating ~~permitting~~**relevant approval and authorisation procedures, including environmental permits,**	(c) aiming at accelerating ~~*permitting*~~***relevant approval and authorisation procedures, including environmental permits, regarding***

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			regarding or affecting the production and distribution of crisis-relevant goods~~.~~**;**	***or affecting the production and distribution*** of crisis-relevant goods~~.~~***;***
Article 33(2), point (ca)				
367a		***(ca) facilitating the free movement of crisis-relevant services.***		***(ca) aiming at accelerating authorisation and registration requirements of crisis-relevant services;***
Article 33(2), point (cb)				
367b			**(d) aiming at accelerating relevant product approval procedures in view of placing on the market crisis-relevant goods that are not subject to any Union legislation harmonising the conditions for the marketing of products.**	***(d) aiming at accelerating relevant product approval procedures in view of placing on the market crisis-relevant goods that are not subject to any Union legislation harmonising the conditions for the marketing of products.***
V				
368	V Part V	V Part V ***Public procurement***	V Part V **Public procurement**	V Part V ***Public procurement***
CHAPTER I				
369	CHAPTER I Procurement of goods and services of strategic importance and crisis-relevant goods by the Commission	CHAPTER I ***Public*** procurement of goods and services of ~~*strategic*~~***critical*** importance and crisis-relevant goods	CHAPTER I **Public** procurement of goods and services of ~~strategic~~ **critical** importance and crisis-relevant goods	CHAPTER I ***Public*** procurement of goods and services of ~~*strategic*~~***critical*** importance and crisis-relevant goods

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	on behalf of Member States during vigilance and emergency modes	***and services*** by the Commission on behalf of Member States during vigilance and emergency modes	**and services** by the Commission on behalf of Member States during vigilance and emergency modes	***and services*** by the Commission on behalf ***of or in the name*** of Member States during vigilance and emergency modes
Article 34				
370	Article 34 Request of Member States to the Commission to procure goods and services on their behalf	Article 34 Request of Member States to the Commission to procure goods and services on their behalf	**[**Article 34 Request of Member States to the Commission to procure goods and services on their behalf	Article 34 Request of Member States to the Commission to procure goods and services on their behalf ***or in their name***
Article 34(1)				
371	1. Two or more Member States may request that the Commission launch a procurement on behalf of the Member States that wish to be represented by the Commission ('participating Member States'), for the purchasing of goods and services of strategic importance listed in an implementing act adopted pursuant to Article 9(1) or crisis-relevant goods and services listed in an implementing act adopted pursuant to Article 14(5).	1. Two or more Member States may request that the Commission launch a procurement on behalf of the Member States that wish to be represented by the Commission ('participating Member States'), for the purchasing of goods and services of ~~*strategic*~~***critical*** importance listed in an implementing act adopted pursuant to Article 9(1) or crisis-relevant goods and services listed in an implementing act adopted pursuant to Article 14(5).	1. Two or more Member States may request that the Commission launch a procurement on behalf of the Member States that wish to be represented by the Commission ('participating Member States'), for the purchasing**, or renting,** of goods and services of ~~strategic~~ **critical** importance listed in an implementing act adopted pursuant to Article 9(1) or crisis-relevant goods and services listed in an implementing act adopted pursuant to Article ~~14(5)~~**14(3)**.	1. Two or more Member ~~*States*~~ may request that the Commission launch a procurement on behalf ***of or in the name*** of the Member States that wish to be represented by the Commission ('participating Member ~~*States'*~~***States'***), for the ~~*purchasing*~~***provision*** of goods and services of ~~*strategic*~~***critical*** importance listed in an implementing act ~~*adopted*~~ pursuant to Article 9(1) or crisis-relevant goods and services listed in an implementing act adopted pursuant to Article ~~*14(5)*~~***14(3)***.
Article 34(2)				
372	2. The Commission shall assess the	2. The Commission***, in consultation***	2. The Commission shall assess	2. The Commission ~~*shall assess the*~~

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	utility, necessity and proportionality of the request. Where the Commission intends not to follow the request, it shall inform the Member States concerned and the advisory group referred to in Article 4 and give reasons for its refusal.	***with the Board,*** shall assess ***without delay*** the ~~*utility,*~~ necessity and proportionality of the request ***referred to in paragraph 1***. Where the Commission intends not to follow ~~*the*~~***that*** request, it shall inform the Member States concerned and the ~~*advisory group referred to in Article 4*~~***Board*** and give reasons for its refusal.	**without delay,** the utility, necessity and proportionality of the request. **If the Commission decides to launch a procurement on behalf of the Member States, it shall inform all Member States and the Board of its intention to carry out the procurement and invite the interested Member States to participate.** Where the Commission intends not to follow the request, it shall inform the Member States ~~concerned~~ and the ~~advisory group~~**Board** referred to in Article 4 and give reasons for its refusal.	~~*utility,*~~ ***in consultation with the Board, shall assess without delay the*** necessity and proportionality of the request ***referred to in paragraph 1***. Where the Commission intends not to follow ~~*the*~~***that*** request, it shall inform the Member States concerned and the ~~*advisory group referred to in Article 4*~~***Board*** and give reasons for its refusal.
Article 34(3)				
G 373	3. Where the Commission agrees to procure on behalf of the Member States, it shall draw up a proposal for a framework agreement to be concluded with the participating Member States allowing the Commission to procure on their behalf. This agreement shall lay down the detailed conditions for the procurement on behalf of the participating Member States referred to in paragraph 1.	3. Where the Commission agrees to procure on behalf of the Member States, it shall***:*** ***(a) inform all Member States and the Board of its intention to carry out the procurement procedure and invite the interested Member States to participate;*** ***(b)*** draw up a proposal for a framework agreement to be concluded with the participating Member States allowing the Commission to procure on their behalf. This agreement shall lay down the detailed conditions for the procurement***, including practical arrangements, rules for decision making and the proposed***	3. Where the Commission agrees to procure on behalf of the Member States, it shall draw up a proposal for ~~a framework~~**an** agreement to be concluded with the participating Member States allowing the Commission to procure on their behalf. This agreement shall lay down the detailed conditions**, including the proposed maximum quantities, the conditions of the common purchasing or renting, including prices, and delivery timeframes,** for the procurement on behalf of the participating Member States referred to in paragraph 1.	3. Where the Commission agrees to procure on behalf of ***or in the name of the participating*** ~~*the*~~ Member States, it shall***:*** ***(a) inform all Member States and the Board of its intention to carry out the procurement procedure and invite the interested Member States to participate;*** ***(b)*** draw up a proposal for ~~*a framework*~~***an*** agreement to be concluded with the participating Member States allowing the Commission to procure ***in their name*** on their behalf. This agreement shall lay down the detailed conditions for the procurement***, including practical*** G

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		quantities, on behalf of the participating Member States ~~*referred to in paragraph 1.*~~.		***arrangements and the proposed maximum quantities, the conditions*** ~~*on behalf*~~ of the ~~*participating Member States referred to in paragraph 1*~~***common purchasing or renting, including prices, and delivery timeframes on behalf of or in the name of the participating Member States***.
Article 34(3a)				
G 373a		***3a. Where the Commission is unable to award the contract to a suitable economic operator, it shall immediately inform the Member States thereof in order to allow them to initiate their own procurement processes without delay.***		*deleted*
Article 34(3b)				
G *373b*			**3a. If the Commission cancels the procurement procedure in accordance with Article 171 of the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[1] (Financial Regulation) , the Commission shall immediately inform the participating Member State thereof, so that the participating Member States can initiate their own procurement**	***3a. Where the Commission cancels the procurement procedure in accordance with Article 171 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[1] (Financial Regulation), it shall immediately inform the participating Member States thereof, so that the participating Member States can initiate their own procurement procedures***

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			procedure without delay. **1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).**	***without delay.***
Article 35				
374	Article 35 Establishment and implementation of the negotiating mandate of the Commission	Article 35 Establishment and implementation of the negotiating mandate of the Commission	Article 35 Establishment and implementation of the negotiating mandate of the Commission	Article 35 Establishment and implementation of the negotiating mandate of the Commission
Article 35(1)				
375	1. The agreement [referred to in Article 34(3) shall establish a negotiating mandate for the Commission to act as a central purchasing body for relevant goods and services of strategic importance or crisis-relevant goods and services on behalf of the participating Member States through the conclusion of new contracts.	1. The agreement ~~[~~referred to in Article 34(3)***, point (b)*** shall establish a negotiating mandate***, which shall include elements such as award criteria and how tenders shall be assessed,*** for the Commission to act as a central purchasing body for relevant goods and services of ~~*strategic*~~***critical*** importance or crisis-relevant goods and services on behalf of the participating Member States through the conclusion of new contracts.	1. The agreement ~~[~~referred to in Article 34(3) shall establish a negotiating mandate for the Commission to ~~act as a central purchasing body~~**contract on behalf of the participating Member States** for relevant goods and services ~~of strategic~~**ofcritical** importance or crisis-relevant goods and services on behalf of the participating Member States through the conclusion of new contracts.	1. The agreement ~~[~~referred to in Article 34(3)***, point (b)*** shall establish a negotiating mandate for the Commission to ~~*act as a central purchasing body*~~***procure on behalf of or in the name of the participating Member States*** for relevant goods and services of ~~*strategic*~~***critical*** importance or crisis-relevant goods and services ~~*on behalf of the participating Member States through the conclusion of new contracts*~~***through the conclusion of***

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				new contracts. The negotiating mandate shall include the award criteria.
Article 35(2)				
376	2. In accordance with the agreement, the Commission may be entitled, on behalf of the participating Member States, to enter into contracts with economic operators, including individual producers of goods and services of strategic importance or crisis-relevant goods and services, concerning the purchase of such goods or services.	2. In accordance with ~~the~~***that*** agreement, the Commission may be entitled, on behalf of the participating Member States, to enter into contracts with economic operators, including individual producers of goods and services of ~~strategic~~***critical*** importance or crisis-relevant goods and services, concerning the purchase of such goods or services.	2. In ~~accordance with the~~**line with this** agreement, the Commission ~~may~~**shall** be entitled, on behalf of the participating Member States, to enter into contracts with economic operators, including individual producers of goods and services ~~of strategic~~**ofcritical** importance or crisis-relevant goods and services, concerning the purchase **or renting** of such goods or services.	2. ~~In accordance with the~~***Under this*** agreement, the Commission ~~may~~***shall*** be entitled, ***when procuring*** on behalf of ***or in the name of*** the participating Member States, to enter into contracts with economic operators, including individual producers of goods and services of ~~strategic~~***critical*** importance or crisis-relevant goods and services, concerning the ~~purchase~~***provision*** of such goods or services.
Article 35(3)				
377	3. Representatives of the Commission or experts nominated by the Commission may carry out on-site visits at the locations of production facilities of relevant goods of strategic importance or crisis-relevant goods.	*deleted*	*deleted*	*deleted*
Article 35(3a)				
377a		***3a. The Commission shall invite the participating Member States to***		*deleted*

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		appoint representatives to take part in the preparation of the procurement procedures.		
Article 35(4)				
378	*4.* The Commission shall carry out the procurement procedures and conclude the resulting contracts with economic operators on behalf of the participating Member States.	4. The Commission shall carry out the procurement procedures and conclude the resulting contracts with economic operators on behalf of the participating Member States.	4. **Without prejudice to Article 171 of the Financial Regulation, the** ~~The~~ Commission shall carry out the procurement procedures and **award and** conclude the resulting contracts ~~with~~**to** economic operators on behalf of the participating Member States.	4. ***Without prejudice to Article 171 of the Financial Regulation,*** the Commission shall carry out the procurement procedures***. When awarding on behalf of or in the name*** ~~*and conclude the resulting contracts with economic operators on behalf*~~ of the participating Member States***, the Commission shall conclude the resulting contracts with the economic operators***.
Article 35(4a)				
378a			**4a. The Commission shall invite participating Member States to nominate representatives to take part in the negotiation of the agreement referred to Article 34 (3) as well as in the preparation of the public procurement procedure.**	***4a. The Commission shall invite participating Member States to nominate representatives to take part in the negotiation of the agreement referred to in Article 34 (3)(b) as well as in the preparation of the public procurement procedure.***
Article 35(4b)				
378b			**4b. All participating Member States shall be associated to the**	*deleted*

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			procurement procedure via their representatives. **Where the Commission intends to conclude a contract concerning the purchase or renting of goods and services of critical importance or crisis-relevant goods and services, it shall inform the participating Member States of such intention and the detailed terms. The participating Member States shall have the opportunity to express their comments on the draft contract.**	
Article 35(4c)				
G	*378c*		**4c. The Commission shall ensure that participating Member States are treated in a non-discriminatory manner when carrying out the procurement procedures and when implementing the resulting agreements.**	***4c. The Commission shall ensure that participating Member States are treated in a non-discriminatory manner when carrying out the procurement procedures and when implementing the resulting agreements.***
Article 36				
G	379	Article 36 Modalities of procurement by the Commission on behalf of the Member States	Article 36 Modalities of procurement by the Commission on behalf of the Member States	Article 36 Modalities of procurement by the Commission on behalf of ***or in the name of*** the Member States
Article 36(1)				

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380	1. Procurement under this Regulation shall be carried out by the Commission in accordance with the rules set out in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[1] for its own procurement. _____ 1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).	1. Procurement under this Regulation shall be carried out by the Commission in accordance with the rules set out in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[1] for its own procurement. _____ 1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).	1. Procurement under this Regulation shall be carried out by the Commission in accordance with the rules set out in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[1] for its own procurement. _____ 1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).	1. Procurement under this Regulation shall be carried out by the Commission in accordance with the rules set out in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[1] for its own procurement. _____ 1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).
Article 36(2)				
381	2. The contracts may include a clause stating that a Member State which has not participated in the procurement procedure may become a party to the contract after it has been signed, laying out in detail the procedure for doing so and its effects.	2. The contracts ~~may~~***shall*** include a clause stating that a Member State which has not participated in the procurement procedure may***, subject to the agreement of the majority of the participating Member States,*** become a party to the contract after it has been signed, laying out in detail the procedure for doing so and its effects.	2. ~~The contracts may include a clause stating that a Member State which has not participated~~ **When duly justified by the extreme urgency or when strictly necessary in order to adapt to unforeseen circumstances** in the ~~procurement procedure may become a party to the contract after it has been signed, laying out in detail the procedure for doing so and its effects.~~**evolution of the Single Market emergency, and provided the modification does not substantially alter the subject**	2. ***When duly justified by the extreme urgency or when strictly necessary in order to adapt to unforeseen circumstances****~~The contracts may include a clause stating that a Member State which has not participated~~* in the ***~~procurement procedure may become a party to the contract after it has been signed, laying out in detail the procedure for doing so and its effects.~~evolution of the internal market emergency, and provided the modification does not***

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			matter of the contract or agreement, the Commission may:	***substantially alter the subject matter of the contract or agreement, the Commission may in agreement with the contractor:***
Article 36(2), first subparagraph, point (b)				
G	381a		**(a) in agreement with the contractor, modify the contract which has been signed, beyond the threshold of 50% and up to 100% of the initial contract value, provided that this is justified as strictly necessary to respond to the evolution of the Single Market emergency,**	***(a) allow to modify the contract which has been signed, beyond the threshold of 50% and up to 100% of the initial contract value, provided that this is justified as strictly necessary to respond to the evolution of the internal market emergency; and/or***
Article 36(2), first subparagraph, point (b)				
G	381b		**(b) in common agreement with the participating Member States, allow other Member States to join a signed contract for procurement by the Commission on behalf of the Member States provided that this is justified as strictly necessary to respond to the evolution of the Single Market emergency.**	***(b) in common agreement with the simple majority of the participating Member States, allow other Member States to join a signed contract for procurement by the Commission on behalf of or in the name of Member States, or to sign an additional contract in the name of new participating Member State; provided that this is justified as strictly necessary to respond to the evolution of the internal market emergency.***
Article 36(2a)				

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G	381c		**A modification shall be considered to be substantially altering the subject matter of the contract or agreement, where it renders the contract or agreement materially different in substance from the one initially concluded. A modification shall be considered to be substantially altering the subject matter of the contract or agreement where one or more of the following conditions are met:**	***2a. A modification shall be considered to be substantially altering the subject matter of the contract or agreement, where it renders the contract or agreement materially different in substance from the one initially concluded. A modification shall be considered to be substantially altering the subject matter of the contract or agreement where one or more of the following conditions are met:***
	Article 36(2), second subparagraph, point (a)			
G	381d		**(a) the modification introduces or supresses significant conditions which, had they been part of the initial procurement procedure, would have allowed for the admission of other tenderers than those initially selected or for the acceptance of a tender other than that originally accepted, or would have attracted additional participants in the procurement procedure, or would not have led to the selection of the winning tenderer;**	***(a) the modification introduces or supresses significant conditions which, had they been part of the initial procurement procedure, would have allowed for the admission of other tenderers than those initially selected or for the acceptance of a tender other than that originally accepted, or would have attracted additional participants in the procurement procedure, or would not have led to the selection of the winning tenderer;***
	Article 36(2), second subparagraph, point (a)			
G	381e		**(b) the modification significantly changes the economic balance of**	***(b) the modification significantly changes the economic balance of***

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			the contract or the agreement in favour of the contractor in a manner which was not provided for in the initial contract or agreement;	***the contract or the agreement in favour of the contractor in a manner which was not provided for in the initial contract or agreement;***
Article 36(2), second subparagraph, point (a)				
381f			**(c) the modification significantly extends the scope of the contract or agreement.**	***(c) the modification significantly extends the scope of the contract or agreement.***
CHAPTER II				
382	CHAPTER II Joint Procurement during vigilance and emergency modes	CHAPTER II Joint Procurement during vigilance and emergency modes	CHAPTER II Joint Procurement during vigilance and emergency modes	CHAPTER II Joint Procurement during vigilance and emergency modes
Article 37				
383	Article 37 Joint procurement procedure	Article 37 Joint procurement procedure	Article 37 Joint procurement procedure	Article 37 Joint procurement procedure
Article 37, first paragraph				
384	Where it is necessary to carry out a joint procurement between the Commission and one or more contracting authorities from Member States in accordance with the rules set out in Article 165(2) of Regulation (EU, Euratom) 2018/1046 of the European	~~*Where it is necessary to carry out a joint procurement between*~~***1.*** The Commission and one or more contracting authorities from Member States ***may engage, as contracting parties, in a joint procurement procedure conducted pursuant to*** ~~*in accordance with the rules set out in*~~	Where it is necessary to carry out a joint procurement between the Commission and one or more contracting authorities from **the participating** Member States in accordance with the rules set out in Article 165(2) of Regulation (EU, Euratom) 2018/1046 of the	***1.*** ~~*Where it is necessary to carry out a joint procurement between*~~ The Commission and one or more contracting authorities from ***the participating*** Member States ***may carry out a joint procurement procedure*** in accordance with the rules set out in Article 165(2) of

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	Parliament and of the Council, the Member States may acquire, rent or lease fully the capacities jointly procured.	Article 165(2) of Regulation (EU, Euratom) 2018/1046 ~~*of the European Parliament and of the Council, the Member States may acquire, rent or lease fully the capacities jointly procured*~~***with a view to the purchase of crisis-relevant goods or goods and services of critical importance within a reasonable time frame***.	European Parliament and of the Council, the Member States may acquire, rent or lease fully the capacities jointly procured.]**[1]** **1. This sentence will stay as long as the recast Financial Regulation does not enter into force before this Regulation.**	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council~~,~~ ***with a view to the provision of crisis-relevant goods or services or goods and services of critical importance.*** The Member States may acquire, rent or lease fully the capacities jointly procured.
Article 37, first paragraph a				
G 384a		***1a. The participation in the joint procurement procedure shall be open to all Member States, as well as, by way of derogation from Article 165(2) of Regulation (EU, Euratom) 2018/1046, to the European Free Trade Association States and Union candidate countries as well as the Principality of Andorra, the Principality of Monaco, the Republic of San Marino and the Vatican City State, in particular where this has been specifically provided for in a bilateral or multilateral treaty.***		***1a. The participation in the joint procurement procedure shall be open to all Member States, as well asto the European Free Trade Association States and Union candidate countries as well as the Principality of Andorra, the Principality of Monaco, the Republic of San Marino and the Vatican City State.*** G
Article 37, third paragraph				
G 384b		***The joint procurement procedure shall be preceded by a joint procurement agreement between the parties in order to determine the***		***1b. The joint procurement procedure shall be preceded by a joint procurement agreement between the participating Member*** G

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		practical arrangements governing that procedure and the decision-making process with regard to the choice of the procedure, how the tenders shall be assessed and the criteria for awarding the contract, in accordance with the relevant Union law.		***States and third countries in order to determine the practical arrangements governing the procurement and the criteria for awarding the contract, in accordance with the relevant Union law.***
Article 37, fourth paragraph				
G 384c		***The following conditions shall apply to the joint procurement procedure:*** ***(a) it shall not negatively affect the functioning of the internal market and shall not constitute discrimination or a restriction of trade, nor shall it cause distortion of competition;*** ***(b) it shall not have any direct financial impact on the budget of the countries referred to in paragraph1a that do not participate in the joint procurement procedure.***		*deleted* G
Article 37, fifth paragraph				
G *384d*		***The Commission shall inform the European Parliament about the joint procurement procedures conducted in accordance with this Article and, upon request, grant access to the contracts that are concluded as a result of those***		***The Commission shall inform the European Parliament about the joint procurement procedures conducted in accordance with this Article and, upon request, grant access to the contracts that are concluded as a result of those*** G

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		procedures, subject to the adequate protection of commercially sensitive information, including business secrets, commercial relations and the interests of the Union. The Commission shall communicate information to the European Parliament regarding sensitive documents in accordance with Article 9(7) of Regulation (EC) No 1049/2001.	PUBLIC	***procedures, subject to the adequate protection of commercially sensitive information, including business secrets, commercial relations and the interests of the Union.***
Chapter III				
G 385	Chapter III Procurement by the Member States during the emergency mode	Chapter III Procurement by the Member States during the emergency mode	Chapter III Procurement by the Member States during the emergency mode	Chapter III Procurement by the Member States during the emergency mode
Article 38				
G 386	Article 38 Consultation and coordination regarding individual procurement by the Member States	Article 38 Consultation and coordination regarding individual procurement by the Member States	Article 38 Consultation and coordination regarding individual procurement by the Member States	Article 38 Consultation and coordination regarding individual procurement by the Member States
Article 38, first paragraph				
G 387	When the Single Market emergency mode has been activated pursuant to Article 14, Member States shall consult each other and the Commission and coordinate their actions with the Commission and the representatives of the other Member	When the ~~*Single*~~***internal*** Market emergency mode has been activated pursuant to Article 14, Member States shall consult each other and the Commission and coordinate their actions with the Commission and the representatives of the other Member	When the Single Market emergency mode has been activated pursuant to Article 14, Member States shall **make best efforts to** consult each other and the Commission and coordinate their actions with the Commission and the representatives	When the ~~*Single*~~***internal*** market emergency mode has been activated pursuant to Article 14, Member States, shall ~~*consult*~~***make best efforts to inform*** each other and the Commission ***about the ongoing procurement procedures of crisis-***

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	States in the advisory group prior to launching procurement of crisis-relevant goods and services listed in an implementing act adopted pursuant to Article 14(5) in accordance with Directive 2014/24/EU of the European Parliament and of the Council[1]. _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)..	States in the ~~advisory group~~***Board*** prior to launching procurement of crisis-relevant goods and services listed in an implementing act adopted pursuant to Article 14(5) in accordance with Directive 2014/24/EU of the European Parliament and of the Council[1]. ***The Board may issue recommendations on the coordination of these actions.*** _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)..	of the other Member States in the ~~advisory group~~ **Board** prior to launching procurement of crisis-relevant goods and services listed in an implementing act adopted pursuant to Article ~~14(5)~~**14(3)** in accordance with Directive 2014/24/EU of the European Parliament and of the Council[1]. **The Commission shall make best efforts to inform the Board of any information it obtains to support this coordination.** _____ 1. **[1]** Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).-	***relevant goods and services listed in an implementing act adopted pursuant to Article 14(3).*** ***Prior to launching any new procurement procedures in accordance with Directive 2014/24/EU of the European Parliament and*** ~~*and coordinate their actions with the Commission and the representatives*~~ of the ~~*other*~~***Council[1],*** Member States ~~*in the advisory group prior to launching*~~***shall:*** ***(a) inform each other about the intention to launch*** procurement of ***such*** crisis-relevant goods and services ~~*listed in an implementing act adopted pursuant to Article 14(5) in accordance with Directive 2014/24/EU of the European Parliament and of the Council[1]*~~ ***by any of their contracting authorities or contracting entities;*** ***(b) consult the other Member States and the Commission about the most appropriate manner of procurement; and*** ***(c) coordinate their procurement actions at the time of internal market emergency in the spirit of solidarity between the Member States***. _____ ~~*1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)..*~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 39				
388	Article 39 Ban of individual procurement action by participating Member States	Article 39 Ban of individual procurement action by participating Member States	~~Article 39~~ *deleted*	Article 39 ~~*Ban of individual procurement action by participating Member States*~~***Exclusivity clause***
Article 39, first paragraph				
389	Where the Single Market emergency mode has been activated pursuant to Article 16 and procurement by the Commission on behalf of Member States has been launched in accordance with Articles 34 to 36, the contracting authorities of the participating Member States shall not procure goods or services covered by such procurement by other means.	Where the ~~*Single*~~***internal*** market emergency mode has been activated pursuant to Article ~~*16*~~***14*** and procurement by the Commission on behalf of Member States has been launched in accordance with Articles 34 to 36, the contracting authorities of the participating Member States shall not procure goods or services covered by such procurement by other means***, except in cases referred to in Article 34(3a). Any procurement contracts concluded in violation of this Article shall be considered void***.	*deleted*	***1.*** ~~*Where the Single*~~***During an internal*** market emergency mode***, the agreement governing the Commission's procurement on behalf or in the name of one or more participating Member States or joint procurement between the Commission and one or more Member States shall, where appropriate, provide for an exclusivity clause, under which participating countries commit to not procuring the crisis-relevant goods or services in question through other channels and to not running parallel negotiation processes.*** ***Where such clause is provided for, it shall stipulate that the participating Member States are allowed to launch their own procurement procedure for acquisition of additional quantities of crisis-relevant goods or services***

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				that are subject to the ongoing joint procurement or ~~*has been activated pursuant to Article 16 and*~~ procurement by the Commission on behalf of ***or in the name of the*** Member States ~~*has been launched in accordance with Articles 34 to 36*~~***in a manner that does not undermine the ongoing procurement, upon the agreement*** ~~*the contracting authorities*~~ of the ***Commission, after consulting all other*** participating Member States***. The request for agreement*** shall ~~*not procure goods or services covered by such procurement by*~~***be addressed to the Commission who shall forward it to the*** other ~~*means*~~***participating Member States for their observations***.
Article 39, first paragraph a				
G	389a			***2. The exclusivity clause shall apply to any new contracts, including specific contracts in framework contracts, that the contracting authorities or contracting entities of the participating Member States would consider concluding during the activation of the internal market emergency mode.*** G
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
390	VI Part VI	*deleted*	VI Part VI **Final provisions**	VI Part VI
Article 40				
391	Article 40 Personal data protection	*deleted*	Article 40 Personal data protection	Article 40 Personal data protection
Article 40(1)				
392	1. This Regulation shall be without prejudice to the obligations of Member States relating to their processing of personal data under Regulation (EU) No 2016/679 and Directive 2002/58/EC on privacy and electronic communications, or the obligations of the Commission and, where appropriate, other Union institutions and bodies, relating to their processing of personal data under Regulation (EU) No 2018/1725, when fulfilling their responsibilities.	*deleted*	1. This Regulation shall be without prejudice to the obligations of Member States relating to their processing of personal data under Regulation (EU) No 2016/679 and Directive 2002/58/EC on privacy and electronic communications, or the obligations of the Commission and, where appropriate, other Union institutions and bodies, relating to their processing of personal data under Regulation (EU) ~~No 2018/1725~~ **2018/1725**, when fulfilling their responsibilities.	1. This Regulation shall be without prejudice to the obligations of Member States relating to their processing of personal data under Regulation (EU) No 2016/679 and Directive 2002/58/EC on privacy and electronic communications, or the obligations of the Commission and, where appropriate, other Union institutions and bodies, relating to their processing of personal data under Regulation (EU) ~~*No 2018/1725*~~ ***2018/1725***, when fulfilling their responsibilities.
Article 40(2)				
393	2. Personal data shall not be processed or communicated except in cases where this is strictly necessary to the purposes of this Regulation. In such cases, the conditions of Regulation (EU) No	*deleted*	2. Personal data shall not be processed or communicated except in cases where this is strictly necessary to the purposes of this Regulation. In such cases, the conditions of Regulation (EU) ~~No~~	2. Personal data shall not be processed or communicated except in cases where this is strictly necessary to the purposes of this Regulation. In such cases, the conditions of Regulation (EU) ~~*No*~~

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	2016/679 and Regulation (EU) No 2018/1725 shall apply as appropriate.		~~2016/679~~ **2016/679** and Regulation (EU) ~~No 2018/1725~~ **2018/1725** shall apply as appropriate.	~~*2016/679*~~ ***2016/679*** and Regulation (EU) ~~*No 2018/1725*~~ ***2018/1725*** shall apply as appropriate.
Article 40(3)				
394	3. Where processing of personal data is not strictly necessary to the fulfilment of the mechanisms established in this Regulation, personal data shall be rendered anonymous in such a manner that the data subject is not identifiable.	*deleted*	*3.* Where processing of personal data is not strictly necessary to the fulfilment of the mechanisms established in this Regulation, personal data shall be rendered anonymous in such a manner that the data subject is not identifiable.	3. Where processing of personal data is not strictly necessary to the fulfilment of the mechanisms established in this Regulation, personal data shall be rendered anonymous in such a manner that the data subject is not identifiable.
Article 40a				
394a			**Article 40a** **Confidentiality and processing of the information**	***Article 40a*** ***Confidentiality and security rules on the protection of the received information***
Article 40a, (1)				
394b			**1. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested.**	***1. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested.*** Text Origin: Council Mandate
Article 40a, (1)				
394c			**2. Member States and the**	***2. Member States and the***

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Commission shall ensure the protection of trade and business secrets and other sensitive and confidential information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and national law.	***Commission shall ensure the protection of trade and business secrets and other sensitive and confidential information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and the respective national law.*** Text Origin: Council Mandate
Article 40a, (1)				
G	394d		**3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.**	***3. The Commission shall not share any information that it has received under this Regulation in a way that can lead to the identification of an individual operator when the sharing of the information results in potential commercial or reputational damage to this operator or in divulging any trade secrets.*** Text Origin: Council Mandate
Article 40a, (1)				
G	394e		**4. The Commission shall not share any information in a way that can lead to the identification of an individual operator when the sharing of the information results in potential commercial or reputational damage to this**	***4. The Board shall be bound by the Commission's security rules for protecting European Union classified information (EUCI) and sensitive non-classified information.***

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			operator or in divulging any trade secrets.	Text Origin: Council Mandate
Article 40a, fifth paragraph				
394f				***5. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.***
Part V a (new)				
394g		***Part V a (new) Digital tools***		*deleted*
Article 41				
395	Article 41 Digital tools	Article 41 ***General provisions on*** digital tools	Article 41 Digital tools	Article 41 Digital tools
Article 41, first paragraph				
396	The Commission and the Member States may set up interoperable digital tools or IT infrastructures supporting the objectives of this Regulation. Such tools or infrastructures may be developed outside the duration of the Single Market Emergency.	***1. By ... [6 months after the entry into force of this Regulation],*** the Commission and the Member States ~~*may*~~***shall*** set up***, maintain and regularly update*** interoperable digital tools or IT infrastructures supporting the objectives of this Regulation. Such tools or	**Where the existing tools or IT infrastructures are not fit for purpose,** the Commission and the Member States may **enhance or** set up interoperable digital tools or IT infrastructures supporting the objectives of this Regulation. Such tools or infrastructures may **also be**	***1. By ... [18 months after the date of entry into force of this Regulation],*** the Commission and the Member States ~~*may*~~ ***shall, where there are no suitable existing tools or IT infrastructures,*** set up***, maintain and regularly update*** interoperable digital tools or IT infrastructures

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		infrastructures ~~*may*~~***shall*** be developed outside the duration of ~~*the Single*~~***an internal*** market emergency ***in order to respond to possible future emergencies in a timely and efficient manner. They shall include, inter alia, standardised, secure and effective digital tools for the secure collection and exchange of information for the purposes of Article 7a, real time information on national restrictions as referred to in Article 41a, fast lanes as referred to in Article 41b and the stakeholder platform referred to in Article 41c***.	**enhanced or developed during a** ~~be developed outside the duration of the~~ Single Market Emergency.	supporting the objectives of this Regulation. Such tools or infrastructures ~~*may*~~***shall*** be developed outside the duration of ~~*the Single*~~***an internal*** market emergency ***in order to respond to possible future emergencies in a timely and efficient manner. They shall include, inter alia, standardised, secure and effective digital tools for the secure collection and exchange of information, as well as a dedicated single digital portal or website where citizens and businesses can find and submit declaration, registration or authorisation forms***.
Article 41, second paragraph				
397	The Commission shall, by means of implementing acts, set out the technical aspects of such tools or infrastructures. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	***2.*** The Commission shall, by means of implementing acts, set out the technical aspects of such tools or infrastructures ***using, where possible, already existing IT tools or portals, such as Your Europe***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	The Commission shall, by means of implementing acts, set out the technical aspects of such tools or infrastructures. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).	***2.*** The Commission shall, by means of implementing acts, set out the technical aspects of such tools or infrastructures ***using, where possible, already existing IT tools or portals***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).
Article 41, second paragraph a				
397a		***2a. Member States shall regularly exchange information with the***		*deleted*

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		Commission and among themselves on all matters falling within the scope of this Regulation via a secure channel of communication.		
Article 41a				
397b			**Article 41a** **Scientific information collection for the application of the regulation**	*deleted*
Article 41a, first paragraph				
397c			**Where necessary for the application of this Regulation, the Commission shall ask and obtain from relevant Union bodies, agencies and Committees any relevant specialised or scientific knowledge.**	*deleted*
Article 41a, second paragraph				
397d		***Article 41a*** ***Real-time information on national restrictions***		*deleted*
Article 41a, third paragraph				
397e		***The Commission shall set up a dedicated public website combining information from Member States on***		*deleted*

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		the national restrictions provided for in the laws, regulations or administrative provisions of the Member States, as notified to the Commission pursuant to Article 19, including information on their scope and duration. The dedicated public website shall include an interactive map with relevant real-time information on those national restrictions.		
Article 41b				
397f		***Article 41b*** ***Fast lanes***		*deleted*
Article 41b, first paragraph				
397g		***1. The Commission shall establish fast lanes that aim to facilitate the free movement of goods, services and workers, especially crisis-relevant goods and services. In particular, the Commission shall provide relevant templates or single digital declaration, registration or authorisation forms for cross-border activities, in particular for professional services in the areas of healthcare, installation, maintenance and repair, construction and food and agriculture in order to accelerate declaration, registration or***		*deleted*

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		authorisation procedures, including recognition of professional qualifications or posting of workers. Those templates or digital forms shall be available free of charge in all official languages of the Union, and valid in all Member States.		
Article 41b, first paragraph				
397h		***2. Where in duly justified cases and in accordance with relevant Union law, Member States have introduced border restrictions, the Commission shall indicate fast lane border crossings that have been established, including, where possible, real-time information, to facilitate the free movement of goods, services and persons.***		*deleted*
Article 41c				
397i		***Article 41c Emergency and resilience stakeholder platform***		*deleted*
Article 41c, first paragraph				
397j		***1. The Commission shall establish a stakeholder platform in order to facilitate sector-specific dialogue and partnerships by bringing***		*deleted*

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		together key stakeholders, namely representatives of economic operators, social partners, researchers and civil society. That platform shall aim to encourage economic operators to draw up voluntary roadmaps in response to an internal market emergency. In particular, that platform shall provide a functionality that allows interested stakeholders to: ***(a) indicate voluntary actions needed to successfully respond to an internal market emergency;*** ***(b) provide scientific advice, opinions or reports on crisis-related questions;*** ***(c) contribute to the exchange of information and best practices.***		
Article 41c, first paragraph				
397k		***2. The Commission and the Board shall take into account the outcomes of the sector-specific dialogue and partnerships, as well as any relevant input provided by stakeholders in accordance with paragraph 1 in the implementation of this Regulation.***		*deleted*
Part VI				
397l		***Part VI*** ***Final provisions***		***Part VI*** ***Final provisions***

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Article 42				
398	Article 42 Committee	Article 42 Committee	Article 42 Committee	Article 42 Committee
Article 42(1)				
399	1. The Commission shall be assisted by a Single Market Emergency Instrument Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by ~~*a Single*~~***the internal*** market emergency ~~*Instrument*~~***and resilience*** committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Single Market Emergency Instrument Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by ~~*a Single*~~***the internal*** market emergency ~~*Instrument*~~***and resilience*** committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
Article 42(2)				
400	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
Article 42(3)				
401	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.
Article 42(3a)				
401a		***3a. Before the adoption of any implementing act pursuant to this***		*deleted*

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		Regulation, and taking its urgency into account, the Commission shall publish a draft thereof and invite all interested parties to submit their comments within a reasonable timeframe.		
Article 43				
402	Article 43 Delegated acts	Article 43 Delegated acts	~~Article 43~~ *deleted*	*deleted*
Article 43(1)				
403	*1.* The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	*deleted*	*deleted*
Article 43(2)				
404	*2.* The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for a period of five years from date of entry into force of this Directive or any other date set by the co-legislators.	2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for a period of five years from ***... [the*** date of entry into force of this ~~*Directive or any other date set by the co-legislators*~~***Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power***	*deleted*	*deleted*

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		shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.		
Article 43(3)				
G *405*	*3.* The delegation of power referred to in Article 6 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 6 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	*deleted*	*deleted*
Article 43(4)				
G *406*	*4.* Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	*deleted*	*deleted*
Article 43(5)				

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407	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	*deleted*	*deleted*
Article 43(5a)				
407a		***5a. A delegated act adopted pursuant to Article 6 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.***		*deleted*
Article 44				
408	Article 44 Report and review	Article 44 Report***, review and evaluation*** ~~*and review*~~	Article 44 Report and review	Article 44 Report***, review and evaluation*** ~~*and review*~~
Article 44(1)				
409	1. By [OP: please insert date = five	1. By **…** [OP: please insert date ~~=~~	1. By [***OP: please insert date*** =	1. By ~~*[OP: please insert date =*~~ **…**

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	years from the entry into force of this Regulation] and every five years thereafter, the Commission shall present a report to the European Parliament and the Council on the functioning of the contingency planning, vigilance and Single Market emergency response system suggesting any improvements if necessary, accompanied, where appropriate, by relevant legislative proposals.	five years from the entry into force of this Regulation] and every ~~*five*~~***three*** years thereafter, the Commission shall ~~*present*~~***carry out an evaluation of the effectiveness of this Regulation and shall submit*** a report to the European Parliament and the Council***. That report shall include, in particular, an evaluation of the following:*** ***(a) the work*** ~~*on the functioning*~~ of the ~~*contingency planning, vigilance and Single Market*~~ ***Board , as well as its work in relation to the work of other relevant Union-level crisis management bodies;*** ***(b) the stress tests, training and crisis protocols, referred to in this Regulation;*** ***(c) the criteria for the activation of the*** emergency ~~*response system suggesting any improvements if necessary,*~~***mode, referred to in Article 13;*** ***(d) the digital tools put in place in accordance with Part Va;*** ***That report shall be*** accompanied, where appropriate, by relevant legislative proposals.	***[five] years from the entry into force of this Regulation*** ~~OP: please insert date = five years from the entry into force of this Regulation~~] and **by [18] months after** every ~~five years thereafter~~**deactivation of the Single Market vigilance and/or emergency mode**, the Commission shall present a report**, including an evaluation,** to the European Parliament and the Council on the functioning of the– contingency planning, **Single Market** vigilance and Single Market emergency response ~~system~~**systems** suggesting any improvements if necessary, accompanied, where appropriate, by relevant legislative proposals.	***[***five years from the ***date of*** entry into force of this Regulation] and every five years thereafter~~,~~ the Commission shall ~~*present*~~***carry out an evaluation of and submit*** a report to the European Parliament and the Council on the functioning ***and effectiveness of this Regulation.*** ***1a. In addition, by 4 months after the deactivation of the internal market vigilance mode or, as applicable, the internal*** ~~*of the contingency planning, vigilance and Single*~~ market emergency ~~*response system suggesting any improvements if necessary*~~***mode, the Commission shall carry out an evaluation and submit a report to the European Parliament and the Council on the measures implemented under this Regulation in relation to the crisis that led to such an activation, in particular on the effectiveness of those measures.*** ***1b. The reports referred to in paragraph 1 and 1a shall be*** accompanied, where appropriate, by relevant legislative proposals.
Article 44(1a)				
409a		***1a. The Commission shall present a report to the European***		*deleted*

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		Parliament, the Council and the European Economic and Social Committee, after each deactivation of the emergency mode, on the functioning of the emergency response system with suggestions for improvement, if necessary. That report shall, in particular, evaluate the impact of the emergency measures on the fundamental rights enshrined in the Charter of Fundamental Rights of the European Union, namely on the freedom to conduct business, the freedom to seek employment and to work, and on the right to collective bargaining and action, including the right to strike.		
Article 44(2)				
410	*2.* This report shall include an evaluation of the work of the advisory group under the emergency framework established by this Regulation, and its relation to the work of other relevant Union level crisis management bodies.	2. This report shall include an evaluation of the work of the ~~*advisory group*~~***Board*** under the emergency framework established by this Regulation, and its relation to the work of other relevant Union level crisis management bodies.	2. This report shall include ~~an evaluation of the work of the advisory group under the emergency framework established by this Regulation, and its relation to the work of other relevant Union level crisis management bodies.~~**amongst others:**	2. ~~*This report shall include an evaluation of the work of the advisory group under the emergency framework established by this Regulation, and its relation to the work of other relevant Union level crisis management bodies.*~~***The reports referred to in paragraphs 1 and 1a shall include, in particular, an evaluation of the following:***
Article 44(2), point (a)				
410a			**(a) an evaluation of the**	***(a) the contribution of this***

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			contribution of this Regulation to the smooth and efficient functioning of the Single market, in particular as regards the free movement of goods, services and persons and the avoidance of divergent national measures which would create cross-border restrictions;	***Regulation to the smooth and efficient functioning of the internal market, in particular as regards the free movement of goods, services and persons and the avoidance of divergent national measures which would create cross-border restrictions;***
Article 44(2), point (b)				
G	410b		**(b) an evaluation of the functioning of this Regulation under the contingency, vigilance and emergency modes.**	***(b) all the measures implemented under this Regulation including an assessment of the principles of non-discrimination and proportionality, in particular:*** ***(i) the impact of the measures implemented under the contingency mode, in particular measures regarding stress tests, training and crisis protocols, digital tools, resilience and availability of goods;*** ***(ii) the impact of the measures implemented under the internal market vigilance mode;*** ***(iii) the impact of the measures implemented during the internal market emergency mode, and in particular on the fundamental rights enshrined in the Charter of Fundamental Rights of the European Union, namely as regards the freedom to conduct business, the freedom to seek employment and to work, and on***

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				the right to collective bargaining and action, including the right to strike;
Article 44(2), point (c)				
410c			**(c) an assessment of the operation of the Board, and its relation to the work of other relevant Union level crisis management bodies, in particular the IPCR, HERA, UCPM;**	***(c) the work of the Board, including its work in relation to the work of other relevant Union-level crisis management bodies, in particular the IPCR, HERA and UCPM;*** ***(ca) the appropriateness of the criteria for the activation of the internal market vigilance mode or the internal market emergency mode, as appropriate.***
Article 44(2), point (d)				
410d			**(d) an evaluation of the application of the proportionality and necessity principles to the binding market intervention measures referred to in Article 24.**	*deleted*
Article 44(2a)				
410e		***2a. For the purpose of paragraph 1, the Board and the competent authorities of the Member States shall provide the Commission with all available information upon its***		***2a. For the purpose of paragraphs 1 and 1a, the competent authorities of the Member States and the Board shall provide the Commission with information upon its request.***

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		request.		***Where necessary, the Commission may also ask and obtain from relevant Union bodies, offices and agencies any relevant specialised or scientific knowledge.***
Article 45				
411	Article 45 Repeal	Article 45 ~~*Repeal*~~***Amendments to Regulation (EC) No 2679/98***	~~Article 45~~ *deleted*	Article 45 ~~*Repeal*~~***Amendments to Regulation (EC) No 2679/98***
Article 45, first paragraph				
412	Council Regulation (EC) 2679/98 is repealed with effect from [date].	Council Regulation (EC) ~~*2679/98 is repealed with effect from*~~ ***No 2679/98 is amended as follows:*** ***(1) Article 2 is replaced by the following:*** ***'This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and/or practice. Nor does it affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and/or practice.';***	*deleted*	Council Regulation (EC) ~~*2679/98 is repealed with effect from*~~ ***No 2679/98 is amended as follows:*** ***(1) Article 2 is replaced by the following:*** ***'This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relation systems in Member States, in accordance with national law or practice. Nor does it affect the right to negotiate and conclude collective agreements and, in cases of conflicts of interest, to take***

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(2) The following Article is added: ***'Article 5a*** ***1. Where the internal market emergency mode referred to in Article 14 of Regulation …/2023 [IMERA] has been activated, Articles 3, 4 and 5 of this Regulation shall cease to apply for the duration of that mode.*** ***2. Paragraph 1 is without prejudice to any obligation arising from this Regulation prior to the activation of the emergency mode in accordance with the*** [~~*date*~~***IMERA Regulation***].***'***	PUBLIC	***collective action to defend their interests, including strike action in accordance with national law or practice.';*** ***(2) The following Article is added:*** ***'Article 5a*** ***1. Where the internal market emergency mode referred to in Article 14 of Regulation …/2023 [IMERA] has been activated, Articles 3, 4 and 5 of this Regulation shall cease to apply in respect to the crisis-relevant goods listed in an implementing act adopted pursuant to Article 14(3) of Regulation (EU) .../... (IMERA)] for the duration of that mode.*** ***2. Paragraph 1 is without prejudice to any obligation arising from this Regulation prior to the activation of the emergency mode in accordance with the*** [~~*date*~~***IMERA Regulation***].***'***
Article 46				
G 413	Article 46 Entry into force	Article 46 Entry into force ***and application***	Article 46 Entry into force	Article 46 Entry into force ***and application***
Article 46, first paragraph				
G 414	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the **[**twentieth day**]** following that of its publication in the ***Official Journal of the***	This Regulation shall enter into force on the twentieth day following that of its publication in the ***Official Journal of the European***

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European Union~~Official Journal of the European Union~~.	***Union***~~*Official Journal of the European Union*~~.
Article 46, first paragraph a				
414a		***This Regulation shall apply from … [6 months after the entry into force].***		*deleted*
Article 46, third paragraph				
414b			**It shall apply from [18 months after the entry into force].**	***It shall apply from ... [18 months after the date of entry into force of this Regulation].*** Text Origin: Council Mandate
Article 46, second paragraph				
415	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
Formula				
416	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels,
Formula				
417	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament
Formula				

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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 418	The President	The President	The President	The President G
Formula				
G 419	For the Council	For the Council	For the Council	For the Council G
Formula				
G 420	The President	The President	The President	The President G

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