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2022/0155 (COD)

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LIMITE

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MEETING DOCUMENT

From:	Presidency
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse – Four-column table with the outcome of the trilogue on 11 May 2026

Delegations will find in the Annex the four-column table with the outcome of the trilogue on 11 May 2026 of the above-mentioned Regulation.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)

2022/0155(COD)
Non-versioned [LATEST TEXT]
19-05-2026 at 10h46

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Formula				
1	2022/0155 (COD)	2022/0155 (COD)	2022/0155 (COD)	2022/0155 (COD) Text Origin: Commission Proposal
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse (Text with EEA relevance) Text Origin: Commission Proposal
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Text Origin: Commission Proposal
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union,	Having regard to the Treaty on the Functioning of the European Union,	Having regard to the Treaty on the Functioning of the European Union,	Having regard to the Treaty on the Functioning of the European Union,

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	and in particular Article 114 thereof,	and in particular Article 114 thereof,	and in particular Article 114 thereof,	and in particular Article 114 thereof, Text Origin: Commission Proposal
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, Text Origin: Commission Proposal
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal
Citation 4				
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. . Text Origin: Commission Proposal
Citation 5				
8	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. . Text Origin: Commission Proposal
Citation 6				

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9	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], 1. OJ C , , p. .	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], 1. OJ C , , p. .	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], 1. OJ C , , p. .	Having regard to the opinion of the European Data Protection Board and the European Data Protection Supervisor[1], 1. OJ C , , p. . Text Origin: Commission Proposal
Citation 7				
10	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal
Formula				
11	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal
Recital 1				
12	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children but also for perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious criminal offences that need to be prevented and combated effectively in order to protect children's rights and well-being, as is required under	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children. ***However, these services are also used by*** ~~*but also for*~~ perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious criminal offences ***that often cause long-lasting negative consequences on victims and*** that need to be	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children but also for perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious criminal offences that need to be prevented and combated effectively in order to protect children's rights and well-being, as is required under	(1) Information society services have become very important for communication, expression, gathering of information and many other aspects of present-day life, including for children. ***However, these services are also used by*** ~~*but also for*~~ perpetrators of child sexual abuse offences. Such offences, which are subject to minimum rules set at Union level, are very serious criminal offences ***that often cause long-lasting negative consequences on victims and*** that need to be

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	the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely, especially by children.	prevented and combated effectively in order to protect children's rights and well-being, as is required under the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely ***in a trusted online environment***, especially by children.	the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely, especially by children.	prevented and combated effectively in order to protect children's rights and well-being, as is required under the Charter of Fundamental Rights of the European Union ('Charter'), and to protect society at large. Users of such services offered in the Union should be able to trust that the services concerned can be used safely, especially by children. Text Origin: CY PCY - drafting
Recital 2				
G 13	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being misused for the purpose of child sexual abuse, those providers often being the only ones in a position to prevent and combat such abuse. The measures taken should be targeted, carefully balanced and proportionate, so as to avoid any undue negative consequences for those who use the services for lawful purposes, in particular for the exercise of their fundamental rights protected under Union law, that is, those enshrined in the Charter and recognised as general principles of	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being misused for the purpose of child sexual abuse, those providers often being ~~*the only ones*~~ in a ***unique*** position to prevent and combat such abuse. The measures taken should be ***effective,*** targeted***, evidence-based***, carefully balanced***,*** and proportionate, ***and subject to constant review*** so as to avoid any undue negative consequences for those who use the services for lawful purposes, in particular for the exercise of their fundamental rights protected under Union law, that is, those enshrined in	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being ~~*misused*~~***used*** for the purpose of child sexual abuse, those providers often being the only ones in a position to prevent and combat such abuse. The measures taken should be targeted, carefully balanced and proportionate, so as to avoid any undue negative consequences for those who use the services for lawful purposes, in particular for the exercise of their fundamental rights protected under Union law, that is, those enshrined in the Charter and recognised as general principles of	(2) Given the central importance of relevant information society services, those aims can only be achieved by ensuring that providers offering such services in the Union behave responsibly and take reasonable measures to minimise the risk of their services being misused for the purpose of child sexual abuse, those providers often being ~~*the only ones*~~ in a ***unique*** position to prevent and combat such abuse. The measures taken should be ***effective,*** targeted***, evidence-based***, carefully balanced***,*** and proportionate, ***and subject to constant review*** so as to avoid any undue negative consequences for those who use the services for lawful purposes, in particular for the exercise of their fundamental rights protected under Union law, that is, those enshrined in G

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	Union law, and so as to avoid imposing any excessive burdens on the providers of the services.	the Charter and recognised as general principles of Union law, and so as to avoid ***directly or indirectly*** imposing any excessive burdens on the providers of the services.	Union law, and so as to avoid imposing any excessive burdens on the providers of the services.	the Charter and recognised as general principles of Union law, and so as to avoid ***directly or indirectly*** imposing any excessive burdens on the providers of the services. Text Origin: CY PCY - drafting
Recital 3				
14	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which diverge, have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level.	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse ***and more generally to protect children online***, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which ***sometimes*** diverge, ***can*** have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level.	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which diverge, have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level.	(3) Member States are increasingly introducing, or are considering introducing, national laws to prevent and combat online child sexual abuse ***and more generally to protect children online***, in particular by imposing requirements on providers of relevant information society services. In the light of the inherently cross-border nature of the internet and the service provision concerned, those national laws, which ***sometimes*** diverge, ***can*** have a direct negative effect on the internal market. To increase legal certainty, eliminate the resulting obstacles to the provision of the services and ensure a level playing field in the internal market, the necessary harmonised requirements should be laid down at Union level. Text Origin: CY PCY - drafting
Recital 4				
15	(4) Therefore, this Regulation should contribute to the proper	(4) Therefore, this Regulation should contribute to the proper	(4) Therefore, this Regulation should contribute to the proper	(4) Therefore, this Regulation should contribute to the proper

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	functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so as not to hamper innovation.	functioning of the internal market by setting out clear, uniform***, effective, proportionate and carefully*** ~~*and*~~ balanced rules to prevent and combat child sexual abuse in a manner that is effective***, targeted and proportionate,*** and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so ~~*as not to hamper*~~***they stimulate*** innovation ***and technological development to prevent and combat online child sexual abuse***.	functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so as not to hamper innovation.	functioning of the internal market by setting out clear, uniform***, and carefully*** ~~*and*~~ balanced rules to prevent and combat child sexual abuse in a manner that is effective***, targeted and proportionate,*** and that respects the fundamental rights of all parties concerned. In view of the fast-changing nature of the services concerned and the technologies used to provide them, those rules should be laid down in technology-neutral and future-proof manner, so ~~*as*~~ not to hamper innovation ***and to stimulate technological development to prevent and combat online child sexual abuse***. Text Origin: CY PCY - drafting
Recital 5				
16	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be misused for the purpose of online child sexual abuse. As they are increasingly misused for that purpose, those services should include publicly available interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those service as publicly available. As services which enable direct interpersonal and interactive exchange of information merely as a	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be misused for the purpose of online child sexual abuse. As they are increasingly misused for that purpose, those services should include publicly available ***number-independent*** interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those ~~*service as*~~***services as are*** publicly available. As services which enable direct interpersonal and interactive	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be ~~*misused*~~***used*** for the purpose of online child sexual abuse. As they are increasingly ~~*misused*~~***used*** for that purpose, those services should include publicly available interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those ~~*service as*~~***services are*** publicly available. As services which enable direct interpersonal and interactive	(5) In order to achieve the objectives of this Regulation, it should cover providers of services that have the potential to be misused for the purpose of online child sexual abuse. As they are increasingly misused for that purpose, those services should include publicly available ***number-independent*** interpersonal communications services, such as messaging services and web-based e-mail services, in so far as those ~~*service as*~~***services are*** publicly available. As services which enable direct interpersonal and interactive

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	minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of gaming, image-sharing and video-hosting are equally at risk of misuse, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are misused for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner.	exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of gaming ***online games***, image-sharing and video-hosting are ~~*equally*~~***also*** at risk of misuse ***for the purpose of online child sexual abuse***, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are misused for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner ***without lowering child protection standards***.	exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of gaming, image-sharing and video-hosting are equally at risk of misuse, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are ~~*misused*~~***used*** for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner.	exchange of information merely as a minor ancillary feature that is intrinsically linked to another service, such as chat and similar functions as part of ~~*gaming*~~***online games***, image-sharing and video-hosting are ~~*equally*~~***also*** at risk of misuse ***for the purpose of online child sexual abuse***, they should also be covered by this Regulation. However, given the inherent differences between the various relevant information society services covered by this Regulation and the related varying risks that those services are misused for the purpose of online child sexual abuse and varying ability of the providers concerned to prevent and combat such abuse, the obligations imposed on the providers of those services should be differentiated in an appropriate manner ***without lowering child protection standards***. Trilogue (11.05.) - Provisionally agreed. Text Origin: CY PCY - drafting
Recital 6				
G 17	(6) Online child sexual abuse frequently involves the misuse of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of	(6) Online child sexual abuse ~~*frequently involves*~~***can also involve*** the misuse of information society services offered in the Union by providers established in third countries. In order to ensure the	(6) Online child sexual abuse frequently involves the ~~*misuse*~~***use*** of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of	(6) Online child sexual abuse frequently involves the misuse of information society services offered in the Union by providers established in third countries. In order to ensure the effectiveness of G

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	the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union.	effectiveness of the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union.	the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union.	the rules laid down in this Regulation and a level playing field within the internal market, those rules should apply to all providers, irrespective of their place of establishment or residence, that offer services in the Union, as evidenced by a substantial connection to the Union. Text Origin: CY PCY - drafting
Recital 7				
G 18	(7) This Regulation should be without prejudice to the rules resulting from other Union acts, in particular Directive 2011/93 of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2] and Regulation (EU) …/… of the European Parliament and of the Council[3] [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC], Directive 2010/13/EU of the European Parliament and of the Council [4], Regulation (EU) 2016/679 of the European Parliament and of the Council[5], and Directive 2002/58/EC of the European Parliament and of the Council[6]. _____ 1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual	(7) This Regulation should be without prejudice to the rules resulting from other Union acts, in particular Directive 2011/93 of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2] and Regulation (EU) ~~…/…~~ ***2022/2065*** of the European Parliament and of the Council[3], ~~[on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC],~~ Directive 2010/13/EU of the European Parliament and of the Council [4], Regulation (EU) 2016/679 of the European Parliament and of the Council[5], and Directive 2002/58/EC of the European Parliament and of the Council[6]. _____ 1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual	~~(7) This Regulation should be without prejudice to the rules resulting from other Union acts, in particular Directive 2011/93 of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2] and Regulation (EU) …/… of the European Parliament and of the Council[3] [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC], Directive 2010/13/EU of the European Parliament and of the Council [4], Regulation (EU) 2016/679 of the European Parliament and of the Council[5], and Directive 2002/58/EC of the European Parliament and of the Council[6].~~ _____ ~~1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual~~	*deleted* G

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	abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1). 2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1). 3. Regulation (EU) …/… of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L ….). 4. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1). 5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1). 6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).	abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1). 2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1). 3. Regulation (EU) …/… of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L ….). 4. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1). 5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1). 6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).	~~abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1).~~ ~~2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1).~~ ~~3. Regulation (EU) …/… of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L ….).~~ ~~4. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1).~~ ~~5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).~~ ~~6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).~~	
Recital 8				
19	*(8)* This Regulation should be considered lex specialis in relation to the generally applicable framework	(8) This Regulation should be considered lex specialis in relation to the generally applicable framework	(8) This Regulation should ~~be considered lex specialis in relation to the generally applicable~~	(8) This Regulation should ***apply without prejudice to other Union acts, in particular Directive***

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	set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] laying down harmonised rules on the provision of certain information society services in the internal market. The rules set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] apply in respect of issues that are not or not fully addressed by this Regulation.	set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065** laying down harmonised rules on the provision of certain information society services in the internal market. The rules set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065** apply in respect of issues that are not or not fully addressed by this Regulation~~.~~	~~framework set out in~~**apply without prejudice to other Union acts, in particular** Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065 of the European Parliament and of the Council[1]** laying down harmonised rules on the provision of certain information society services in the internal market. ~~The rules set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] apply in respect of issues that are not or not fully addressed by this Regulation.~~ **1. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L 277, 27.10.2022, p. 1).**	**2011/93/EU of the European Parliament and of the Council[1], Directive 2000/31/EC of the European Parliament and of the Council[2], Directive 2010/13/EU of the European Parliament and of the Council [3], Regulation (EU) 2016/679 of the European Parliament and of the Council[4], and Directive 2002/58/EC of the European Parliament and of the Council[5] and** be considered lex specialis in relation to the generally applicable framework set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] laying down harmonised rules on the provision of certain information society services in the internal market~~**2022/2065 of the European Parliament and of the Council[6]**. ~~The rules set out in Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] apply in respect of issues that are not or not fully addressed by this Regulation.~~ **1. Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1).**

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				2. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1). *3. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media service (OJ L 95, 15.4.2010, p. 1).* *4. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).* *5. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ('Directive on privacy and electronic communications') (OJ L 201, 31.7.2002, p. 37).* *6. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (OJ L 277, 27.10.2022, p. 1).* Text Origin: CY PCY - drafting
Recital 9				
20	(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to	(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to	~~(9) Article 15(1) of Directive 2002/58/EC allows Member States to adopt legislative measures to~~	ON HOLD (Linked to discussion on detection)

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	restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to execute detection orders issued in accordance with this Regulation with a view to prevent and combat online child sexual abuse.	restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to execute detection orders issued in accordance with this Regulation with a view to prevent and combat online child sexual abuse.	~~*restrict the scope of the rights and obligations provided for in certain specific provisions of that Directive relating to the confidentiality of communications when such restriction constitutes a necessary, appropriate and proportionate measure within a democratic society, inter alia, to prevent, investigate, detect and prosecute criminal offences, provided certain conditions are met, including compliance with the Charter. Applying the requirements of that provision by analogy, this Regulation should limit the exercise of the rights and obligations provided for in Articles 5(1), (3) and 6(1) of Directive 2002/58/EC, insofar as strictly necessary to execute detection orders issued in accordance with this Regulation with a view to prevent and combat online child sexual abuse.*~~	Linked to voluntary detection/detection orders
Recital 9a				
G 20a		***(9a) Encryption, and especially end-to-end encryption, is an increasingly important tool to guarantee the security and confidentiality of the communications of all users, including children. Any restrictions or undermining of the end-to-end encryption can be used and abused by malicious third parties. Nothing***		***(9a) Encryption, in particular end-to-end encryption, is an important tool to guarantee the security and confidentiality of the communications. Any restrictions or undermining of the end-to-end encryption can be used and abused by malicious third parties. Having regard to the availability of technologies that can be used to*** G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		in this Regulation should therefore be interpreted as prohibiting, weakening or undermining end-to-end encryption. Providers of information society services should under no circumstances be prevented from providing their services using the highest standards of encryption, considering that such encryption is essential for trust in and security of the digital services.		***meet the requirements of this Regulation whilst still allowing for end-to-end encryption, nothing in this Regulation should be understood as prohibiting, weakening or circumventing, requiring to disable, or making end-to-end encryption impossible. Providers should remain free to offer services using end-to-end encryption and should not be obliged by this Regulation to decrypt data or to provide access to end-to-end encrypted data.*** Text Origin: CY PCY - drafting
Recital 10				
21	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC].	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) ~~*.../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065***.	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) ~~*.../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065*** .	(10) In the interest of clarity and consistency, the definitions provided for in this Regulation should, where possible and appropriate, be based on and aligned with the relevant definitions contained in other acts of Union law, such as Regulation (EU) ~~*.../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065***. Text Origin: EP Mandate
Recital 11				
22	(11) A substantial connection to the Union should be considered to exist where the relevant information	(11) A substantial connection to the Union should be considered to exist where the relevant information	(11) A substantial connection to the Union should be considered to exist where the relevant information	(11) A substantial connection to the Union should be considered to exist where the relevant information

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	society services has an establishment in the Union or, in its absence, on the basis of the existence of a significant number of users in one or more Member States, or the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States should be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU) 1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a	society services has an establishment in the Union or, in its absence, ~~*on the basis of the existence of a significant*~~***where the*** number of ~~*users*~~***recipients of the service*** in one or more Member States ***is significant in relation to its or their population, or on the basis of***~~*, or*~~ the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States should be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency ~~-~~ generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU)	society services has an establishment in the Union or, in its absence, on the basis of the existence of a significant number of users in one or more Member States, or the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States should be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU) 1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a	society ~~*services*~~***service*** has an establishment in the Union or, in its absence, ~~*on the basis of the existence of a significant*~~***where the*** number of ~~*users*~~***recipients of the service*** in one or more Member States ***is significant in relation to the population thereof, or on the basis of***~~*, or*~~ the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States ~~*should*~~***can*** be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency generally used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of a software application in the relevant national software application store, from the provision of local advertising or advertising in the language used in that Member State, or from the handling of customer relations such as by providing customer service in the language generally used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1), point (c), of Regulation (EU)

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	website from the Union should not, alone, be considered as establishing a substantial connection to the Union. _____ 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).	1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a website from the Union should not, ***on that ground*** alone, be considered as establishing a substantial connection to the Union. _____ 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).	website from the Union should not, alone, be considered as establishing a substantial connection to the Union. _____ 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).	1215/2012 of the European Parliament and of the Council[1]. Mere technical accessibility of a website from the Union should not, ***on that ground*** alone, be considered as establishing a substantial connection to the Union. _____ 1. Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1). Text Origin: CY PCY - drafting
Recital 12				
23	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments.	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments.	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images or videos, without it however being excluded that it takes other forms, especially in view of future technological developments.	(12) For reasons of consistency and technological neutrality, the term 'child sexual abuse material' should for the purpose of this Regulation be defined as referring to any type of material constituting child pornography or pornographic performance within the meaning of Directive 2011/93/EU, which is capable of being disseminated through the use of hosting or interpersonal communication services. At present, such material typically consists of images ~~or~~, videos ***or instruction manuals providing advice on how to find, groom and abuse children while avoid being identified and prosecuted***, without it however

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				being excluded that it takes other forms, especially in view of future technological developments. Trilogue (11.05): Provisionally agreed. Text Origin: Commission Proposal
Recital 12a				
G 23a			***(12a) In the light of the more limited risk of their use for the purpose of child sexual abuse and the need to preserve confidential information, including classified information, information covered by professional secrecy and trade secrets, electronic communications services that are not publicly available, such as those used for national security purposes, should be excluded from the scope of this Regulation. Accordingly, this Regulation should not apply to interpersonal communications services that are not available to the general public and the use of which is instead restricted to persons involved in the activities of a particular company, organisation, body or authority.***	***(12a) In the light of the more limited risk of their use for the purpose of child sexual abuse and the need to preserve confidential information, including classified information, information covered by professional secrecy and trade secrets, electronic communications services that are not publicly available, such as those used for national security purposes, should be excluded from the scope of this Regulation. Accordingly, this Regulation should not apply to interpersonal communications services that are not available to the general public and the use of which is instead restricted to persons involved in the activities of a particular company, organisation, body or authority.*** Text Origin: CY PCY - drafting G
Recital 13				
24	(13) The term 'online child sexual abuse' should cover not only the	(13) The term 'online child sexual abuse' should cover not only the	(13) The term 'online child sexual abuse' should cover not only the	(13) The term 'online child sexual abuse' should cover not only the

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	dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators.	dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators.	dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators.	dissemination of material previously detected and confirmed as constituting child sexual abuse material ('known' material), but also of material not previously detected that is likely to constitute child sexual abuse material but that has not yet been confirmed as such ('new' material), as well as activities constituting the solicitation of children ('grooming'). That is needed in order to address not only past abuse, the re-victimisation and violation of the victims' rights it entails, such as those to privacy and protection of personal data, but to also address recent, ongoing and imminent abuse, so as to prevent it as much as possible, to effectively protect children and to increase the likelihood of rescuing victims and stopping perpetrators. Bilateral (7.05): For further discussion at technical level to add instructions manuals and include clarification on new materials. Text Origin: Commission Proposal
Recital 14				
25	(14) With a view to minimising the risk that their services are misused for the dissemination of known or new child sexual abuse material or	(14) With a view to minimising the risk that their services are misused for the dissemination of known or new child sexual abuse material or	(14) With a view to minimising the risk that their services are ~~misused~~***used*** for the dissemination of known or new child sexual abuse	(14) With a view to minimising the risk that their services are misused for the dissemination of known or new child sexual abuse material or

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	the solicitation of children, providers of hosting services and providers of publicly available interpersonal communications services should assess such risk for each of the services that they offer in the Union. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons.	the solicitation of children, providers of hosting services and providers of publicly available ***number independent*** interpersonal communications services should assess such risk ~~*for each of the*~~***stemming, inter alia, from the design, functioning and use of their*** services that they offer in the Union. ***That risk assessment should be specific to the services they offer and proportionate to the risk considering its severity and probability***. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons~~.~~	material or the solicitation of children, providers of hosting services and providers of publicly available interpersonal communications services should assess such risk for each of the services that they offer in the Union. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons.	the solicitation of children, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should assess such risk ~~*for each of the*~~***stemming, inter alia, from the design, functioning and use of their*** services that they offer in the Union. ***That risk assessment should be specific to the services they offer***. To guide their risk assessment, a non-exhaustive list of elements to be taken into account should be provided. To allow for a full consideration of the specific characteristics of the services they offer, providers should be allowed to take account of additional elements where relevant. As risks evolve over time, in function of developments such as those related to technology and the manners in which the services in question are offered and used, it is appropriate to ensure that the risk assessment is updated regularly and when needed for particular reasons. Trilogue (11.05.) - Provisionally agreed. Text Origin: CY PCY - drafting
Recital 14a				
25a		***(14a) The obligation to conduct a risk assessment should apply, in***		ITM (23.04.) - Further discussion on Art.

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		any case, to very large online platforms and to those providers which are substantial, exposed to online child sexual abuse. Providers that qualify as small and micro enterprises as defined in Commission Recommendation 2003/361/EC should carry out a simplified risk assessment. Irrespective of their size or their substantially exposure to online child sexual abuse, providers of online games that operate number-independent interpersonal communications service within their games, platforms primarily used for the dissemination of pornographic content and providers offering services directly targeting children should carry out a risk assessment.		3-5.
Recital 15				
26	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] with respect to information that they store and disseminate to the public. For the purposes of the present Regulation, those providers may draw on such a	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ~~with~~***2022/2065*** respect to information that they store and disseminate to the public. For the purposes of the present Regulation,	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***2022/2065*** with respect to information that they store and disseminate to the public. For the purposes of the present Regulation, those providers may	(15) Some of those providers of relevant information society services in scope of this Regulation may also be subject to an obligation to conduct a risk assessment under Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ~~with~~***2022/2065*** respect to information that they store and disseminate to the public. For the purposes of the present Regulation,

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	risk assessment and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation.	***and in order to ensure consistency and avoid unnecessary burdens and duplications,*** those providers may draw on such a risk assessment ***for the purpose of the risk assessment under this Regulation*** and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation.	draw on such a risk assessment and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation.	***and in order to ensure consistency and avoid unnecessary burdens and duplications,*** those providers may draw on such a risk assessment ***for the purpose of the risk assessment under this Regulation*** and complement it with a more specific assessment of the risks of use of their services for the purpose of online child sexual abuse, as required by this Regulation. ITM 23.04. - Further discussion on Art. 3-5. Text Origin: CY PCY - drafting
Recital 16				
27	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available interpersonal communications services should take reasonable measures to mitigate the risk of their services being misused for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] may consider to which extent mitigation measures adopted to comply with that obligation,	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should take reasonable measures to mitigate the risk of their services being misused for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** may consider to which extent mitigation measures adopted to	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available interpersonal communications services should take ***all*** reasonable measures to mitigate the risk of their services being ~~misused~~***used*** for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ ***2022/2065*** may consider to which extent mitigation measures adopted to comply with	(16) In order to prevent and combat online child sexual abuse effectively, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should take ***all*** reasonable measures to mitigate the risk of their services being misused for such abuse, as identified through the risk assessment. Providers subject to an obligation to adopt mitigation measures pursuant to Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** may consider to which extent mitigation

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	which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation.	comply with that obligation, which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation.	that obligation, which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation.	measures adopted to comply with that obligation, which may include targeted measures to protect the rights of the child, including age verification and parental control tools, may also serve to address the risk identified in the specific risk assessment pursuant to this Regulation, and to which extent further targeted mitigation measures may be required to comply with this Regulation. Trilogue (11.05.) - Provisionally agreed. Text Origin: CY PCY - drafting
Recital 16a				
27a			***(16a) Age verification and age assessment measures taken under this Regulation should preserve privacy, respecting the principles relating to the processing of personal data, notably the principles of lawfulness, purpose limitation and data minimisation, including by being in compliance with Regulation (EU) 2016/679. Those measures should take as a primary consideration the best interest of the child, including the protection of their personal data, be proportionate, transparent, effective and accurate. The obligation to ensure data protection by design and default is of particular***	

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			importance to protect the personal data of children while ensuring a safe online environment for children. The age verification and age assessment measures should also be non-discriminatory and accessible. Whenever applying age verification and age assessment measures, providers should inform in their terms and conditions in detail how those measures work, and whether any third party has been involved in providing those measures.	
Recital 17				
28	(17) To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. In particular, providers are free to design and implement, in accordance with Union law, measures based on their existing practices to detect online child sexual abuse in their services and indicate as part of the risk reporting their willingness and preparedness to eventually being	(17) To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. In particular, providers are free to design and implement, in accordance with Union law, measures based on their existing practices to detect ***and prevent,*** online child sexual abuse in their services ~~*and indicate as part of the risk reporting their willingness and preparedness to eventually*~~	(17) To allow for innovation and ensure proportionality and technological neutrality, no exhaustive list of the compulsory mitigation measures should be established. Instead, providers should be left a degree of flexibility to design and implement measures tailored to the risk identified and the characteristics of the services they provide and the manners in which those services are used. In particular, providers are free to design and implement, in accordance with Union law, measures based on their existing practices to detect online child sexual abuse in their services and indicate as part of the risk reporting their willingness and preparedness to ~~*eventually being*~~	Linked to voluntary detection/detection orders

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	issued a detection order under this Regulation, if deemed necessary by the competent national authority.	~~being issued a~~. ***Mitigation measures should aim to contribute to prevent child sexual abuse from happening in the first place, and consequently*** detection ~~order under this Regulation, if deemed necessary by the competent national authority.~~***orders should be issued only to providers that have failed to take all reasonable and proportionate mitigation measures to address the risk identified.***	~~issued a detection order~~***carry out voluntary activities*** under ~~this~~ Regulation~~, if deemed necessary by the competent national authority~~ ***(EU) 2021/1232.*** .	
Recital 17a				
28a			***(17a) Nothing in this Regulation should be understood as imposing any detection obligations on providers.***	Linked to voluntary detection/detection orders
Recital 17a				
28b		***(17a) top Online platforms primarily used for the dissemination of pornographic content and providers of online games falling under the scope of this Regulation should take additional technical and organisational measures to ensure safety and security by design and by default for children.***		
Recital 18				
29	(18) In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with	(18) In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with	(18) In order to ensure that the objectives of this Regulation are achieved, that flexibility should be subject to the need to comply with	

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	Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights. In order to ensure proportionality, when determining which mitigation measures should reasonably be taken in a given situation, account should also be taken of the financial and technological capabilities and the size of the provider concerned. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation, and those contained in guidelines from the Commission. When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation	Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights ***or if they disproportionately affect people experiencing intersectional discrimination, including on the basis of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, gender or sexual orientation. Particular care should be taken to assess the impact on girls, who are at a greater risk of being subject to child sexual abuse and gender-based violence***. In order to ensure proportionality, when determining which mitigation measures should reasonably be taken in a given situation, account should also be taken of the ***ongoing effectiveness of the measures, the*** financial and technological capabilities and the	Union law and, in particular, the requirements of this Regulation on mitigation measures. Therefore, providers of hosting services and providers of publicly available interpersonal communications services should, when designing and implementing the mitigation measures, give importance not only to ensuring their effectiveness, but also to avoiding any undue negative consequences for other affected parties, notably for the exercise of users' fundamental rights. In order to ensure proportionality, when determining which mitigation measures should reasonably be taken in a given situation, account should also be taken of the financial and technological capabilities and the size of the provider concerned. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation, and those contained in guidelines from the Commission. When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	measures.	size of the provider concerned. ***Therefore mitigation measures should always be the least intrusive option possible***. When selecting appropriate mitigation measures, providers should at least duly consider the possible measures listed in this Regulation, as well as, where appropriate, other measures such as those based on industry best practices, including as established through self-regulatory cooperation, and those contained in guidelines from the Commission. ***Clear targets, oversight, review and adaptation, led by the competent authorities, are needed to avoid measures becoming redundant, disproportionate, ineffective, counterproductive or outdated.*** When no risk has been detected after a diligently conducted or updated risk assessment, providers should not be required to take any mitigation measures.	measures.	
Recital 18a				
29a			***(18a) With a view to make risk mitigation measures more targeted, the services or parts or components thereof should be categorised according to their risks based on objective criteria and a methodology established in this Regulation that may be updated, if required due to technological***	

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			developments, by a delegated act of the Commission. After having completed the risk assessment and put in place the mitigation measures, the providers should send reports to the Coordinating Authority of establishment, which should include a self-assessment facilitating the categorisation of services by the Coordinating Authority of establishment. The risk categorisation, decided by the Coordinating Authority of establishment, taking into account the risk assessment and the risk mitigation measures already undertaken by the providers and the self-assessment by the providers, would have as objective to determine the risk level of services or parts and components thereof. The EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') could support the Coordinating Authority of establishment by providing an assessment of the effectiveness of the mitigation measures, technical expertise on the technologies put in place as part of the mitigation measures or by testing the services.	
Recital 18a				
G 29b		***(18a) Parental control features and functionalities should be limited to allowing allow parents, or***		***(18a) Parental control features and functionalities should only allow parents or guardians to prevent*** G

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		guardians only to prevent children from accessing platforms or services that are inappropriate for their age or fall under an age-restriction applicable under national law, or to help prevent them from being exposed to content that is inappropriate. Those measures should be in accordance with Regulation (EU) 2016/679 and the Convention on the Rights of the Child, in particular General Comment 25 (2021) on children's rights in relation to the digital environment, respect the integrity and safety of the device and not allow unauthorised access or control by third parties.		***children from accessing platforms or services that are inappropriate for their age or fall under an age-restriction applicable under national law, or to help prevent them from being exposed to content that is inappropriate. Those measures should be in accordance with Regulation (EU) 2016/679 and the Convention on the Rights of the Child, in particular General Comment 25 (2021) on children's rights in relation to the digital environment, respect the integrity and safety of the device and not allow unauthorised access or control by third parties.*** Text Origin: CY PCY - drafting
Recital 18b				
G 29c		***(18b) Providers should have to establish and operate an accessible, age-appropriate, child-friendly and user-friendly reporting mechanism that allows any user or entity to flag or notify them the presence of potential online child sexual abuse on their services, including self-generated material.***		***(18b) Providers should establish and operate an accessible, age-appropriate, child-friendly and user-friendly reporting mechanism that allows any user or entity to notify them the presence of potential online child sexual abuse on their services, including self-generated material.*** ITM (04.05.) - Provisionally agreed. Recital to be complemented by: "Providers of hosting services already have a general obligation under the DSA G

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				to establish a notice-and-action mechanism for the notification/reporting of potential illegal content. Since potential CSA constitutes potential illegal content, the same mechanism established to comply with the DSA may also be used to comply with the obligation under this Regulation, provided that the reporting mechanism meets the criteria set out herein." Text Origin: CY PCY - drafting
Recital 18c				
29d		***(18c) Providers that have identified a risk of use of their services for the purpose of the solicitation of children, should be able to take age verification measures. The implementation of technical procedures to verify the age of users is likely to result in the processing of personal data. Such processing is particularly sensitive in view of its purpose and is subject to Regulation (EU) 2016/679. Age verification systems should strictly comply with the principle of data minimization. In addition, the requirement to set up an age verification system for the legitimate purpose of protecting minors provided for in this Regulation does not justify a general obligation to identify***		

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		oneself prior to consulting any site offering content. Being able, in principle, to benefit from online public communication services without having to identify oneself, or by using pseudonyms, contributes to the freedom to inform oneself and to the protection of users' privacy. This is an essential element in the exercise of these freedoms on the Internet. Providers should use systems that provide proof of age without revealing the identity of the user as foreseen in Regulation .../... amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity. Such services could, for example, be based on a trusted third-party organization, which would have to incorporate a double anonymity mechanism preventing the trusted third party from identifying the site or application at the origin of a verification request, on the one hand, and preventing the transmission of identifying data relating to the user to the site or application, on the other. The means of proof should therefore be in the hands of its bearer and limited to a single age attribute. The trusted third-party organisation should also incorporate all personal data protection guarantees, and in		

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		particular inform the person concerned, in simple terms and adapted to each audience, of the risks and rights associated with the processing of his or her data.		
Recital 19				
30	(19) In the light of their role as intermediaries facilitating access to software applications that may be misused for online child sexual abuse, providers of software application stores should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk. The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.	(19) In the light of their role as intermediaries facilitating access to software applications that may be misused for online child sexual abuse, providers of software application stores ***considered as gatekeepers under Regulation (EU) 2022/1925*** should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk***, specifically preventing children from accessing the software applications in relation to which the provider of software application has explicitly informed that it does not permit its use by children or when it has an age rating model in place***. The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.	(19) In the light of their role as intermediaries facilitating access to software applications that may be ~~*misused*~~***used*** for online child sexual abuse, providers of software application stores should be made subject to obligations to take certain reasonable measures to assess and mitigate that risk. The providers should make that assessment in a diligent manner, making efforts that are reasonable under the given circumstances, having regard inter alia to the nature and extent of that risk as well as their financial and technological capabilities and size, and cooperating with the providers of the services offered through the software application where possible.	

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Recital 20				
31	(20) With a view to ensuring effective prevention and fight against online child sexual abuse, when mitigating measures are deemed insufficient to limit the risk of misuse of a certain service for the purpose of online child sexual abuse, the Coordinating Authorities designated by Member States under this Regulation should be empowered to request the issuance of detection orders. In order to avoid any undue interference with fundamental rights and to ensure proportionality, that power should be subject to a carefully balanced set of limits and safeguards. For instance, considering that child sexual abuse material tends to be disseminated through hosting services and publicly available interpersonal communications services, and that solicitation of children mostly takes place in publicly available interpersonal communications services, it should only be possible to address detection orders to providers of such services.	(20) With a view to ensuring effective prevention and fight against online child sexual abuse, when ***the provider refuses to cooperate by putting in place the*** mitigating measures ~~are deemed insufficient~~***aimed*** to limit the risk of misuse of a certain service for the purpose of online child sexual abuse, the Coordinating Authorities designated by Member States under this Regulation should be empowered to request***, as a measure of last resort,*** the issuance of detection orders. In order to avoid any undue interference with fundamental rights and to ensure proportionality, that power should be subject to a carefully balanced set of limits and safeguards. For instance, considering that child sexual abuse material tends to be disseminated through hosting services and publicly available ~~interpersonal communications services, and that solicitation of children mostly takes place in publicly available~~***number-independent*** interpersonal communications services, it should only be possible to address detection orders to providers of such services. ***As a matter of principle, detection orders should be addressed to the service provider acting as a***	~~(20) With a view to ensuring effective prevention and fight against online child sexual abuse, when mitigating measures are deemed insufficient to limit the risk of misuse of a certain service for the purpose of online child sexual abuse, the Coordinating Authorities designated by Member States under this Regulation should be empowered to request the issuance of detection orders. In order to avoid any undue interference with fundamental rights and to ensure proportionality, that power should be subject to a carefully balanced set of limits and safeguards. For instance, considering that child sexual abuse material tends to be disseminated through hosting services and publicly available interpersonal communications services, and that solicitation of children mostly takes place in publicly available interpersonal communications services, it should only be possible to address detection orders to providers of such services.~~	Linked to voluntary detection/detection orders

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		controller. However, in some circumstances, determining whether a service provider has the role of controller or processor can prove particularly challenging or addressing the controller may be detrimental to an ongoing investigation. Consequently, as an exception, it should be possible to address a detection order directly to the service provider that stores or otherwise processes the data.		
Recital 21				
32	(21) Furthermore, as parts of those limits and safeguards, detection orders should only be issued after a diligent and objective assessment leading to the finding of a significant risk of the specific service concerned being misused for a given type of online child sexual abuse covered by this Regulation. One of the elements to be taken into account in this regard is the likelihood that the service is used to an appreciable extent, that is, beyond isolated and relatively rare instances, for such abuse. The criteria should vary so as to account of the different characteristics of the various types of online child sexual abuse at stake and of the different characteristics of the services used to engage in such abuse, as well as the related different degree of intrusiveness of the	(21) Furthermore, as parts of those limits and safeguards, detection orders should only be issued ***by a judicial authority and only*** after a diligent and objective assessment leading to the finding of ***reasonable grounds of suspicion for a link, at least an indirect one,*** ~~*a significant risk*~~ of the ~~*specific*~~ service concerned being misused ~~*for a given type of online*~~***by individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication for*** child sexual abuse ~~*covered by this Regulation. One of the elements to be taken into account in this regard is the likelihood that the service is used to an appreciable extent, that is, beyond isolated and relatively rare instances, for such abuse. The criteria should vary so as to account*~~	~~*(21) Furthermore, as parts of those limits and safeguards, detection orders should only be issued after a diligent and objective assessment leading to the finding of a significant risk of the specific service concerned being misused for a given type of online child sexual abuse covered by this Regulation. One of the elements to be taken into account in this regard is the likelihood that the service is used to an appreciable extent, that is, beyond isolated and relatively rare instances, for such abuse. The criteria should vary so as to account of the different characteristics of the various types of online child sexual abuse at stake and of the different characteristics of the services used to engage in such abuse, as well as the related different degree of intrusiveness of*~~	Linked to voluntary detection/detection orders

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	measures to be taken to execute the detection order.	~~of the different characteristics of the various types of online~~material. Reasonable grounds are those resulting from any information reliable and legally acquired that suggest that individual users, or a specific group of users, either as such or as subscribers to a specific channel of communication might have a link, even an indirect or remote one, with child sexual abuse ~~at stake and of the different characteristics of the services used to engage in such~~material. A link with child sexual abuse~~, as well as the related different degree of intrusiveness of the measures~~ material should be deemed to exist where on the basis of objective evidence there is a reasonable suspicion that such material will be detected in the use of a service by a user. Where a channel is operated specifically for the purpose of distributing child sexual abuse material, the subscribers to that channel should be considered linked to child sexual abuse material. Conduct which is legal according to Directive 2011/93/EU or national law transposing it should not be deemed a reasonable ground of suspicion. In order to conduct such an assessment a fluent dialogue needs to be ~~taken to execute the detection~~	~~the measures to be taken to execute the detection order.~~	

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		~~order~~***established between the Coordinating Authority and the provider. With the view at achiving that aim, it should be possible for the Coordinating Authority to request additional information to the EU Centre, the competent data protection authorities or any other public authority or entities.***		
Recital 21a				
G 32a		***(21a) The definition of child sexual abuse material provided in Article 2 has to be interpreted taking into account Directive 2011/93/EU. Therefore, personal communication between consenting peers as well as children over the age of sexual consent and their partners are out of the scope of the definition insofar those images does not involve any abuse or exploitation or payment or remuneration for pornographic performance and the images have not been disseminated without the consent of the parties involved. Likewise, images produced for medical or scientific purposes, strictly verifiable as such, should remain out of the scope of definition of child sexual abuse material.***		*deleted* G
Recital 22				
33	*(22)* However, the finding of such a significant risk should in itself be	(22) ~~*However, the finding of such a significant risk should in itself be*~~	~~*(22) However, the finding of such a significant risk should in itself be*~~	Linked to voluntary detection/detection

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	insufficient to justify the issuance of a detection order, given that in such a case the order might lead to disproportionate negative consequences for the rights and legitimate interests of other affected parties, in particular for the exercise of users' fundamental rights. Therefore, it should be ensured that detection orders can be issued only after the Coordinating Authorities and the competent judicial authority or independent administrative authority having objectively and diligently assessed, identified and weighted, on a case-by-case basis, not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also the likelihood and seriousness of any potential negative consequences for other parties affected. With a view to avoiding the imposition of excessive burdens, the assessment should also take account of the financial and technological capabilities and size of the provider concerned.	~~*insufficient to justify the issuance of a detection order, given that in such a case the order might lead to disproportionate negative consequences for the rights and legitimate interests of other affected parties, in particular for the exercise of users' fundamental rights. Therefore,*~~ It should be ensured that detection orders can be issued only after the Coordinating Authorities and the competent judicial authority ~~*or independent administrative authority*~~ having objectively and diligently assessed, identified and weighted, on a case-by-case basis, ~~*not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also*~~ the likelihood and seriousness of any potential negative consequences for other parties affected***, including the users of the service***. With a view to avoiding the imposition of excessive burdens, the assessment should also take account of the financial and technological capabilities and size of the provider concerned.	~~*insufficient to justify the issuance of a detection order, given that in such a case the order might lead to disproportionate negative consequences for the rights and legitimate interests of other affected parties, in particular for the exercise of users' fundamental rights. Therefore, it should be ensured that detection orders can be issued only after the Coordinating Authorities and the competent judicial authority or independent administrative authority having objectively and diligently assessed, identified and weighted, on a case-by-case basis, not only the likelihood and seriousness of the potential consequences of the service being misused for the type of online child sexual abuse at issue, but also the likelihood and seriousness of any potential negative consequences for other parties affected. With a view to avoiding the imposition of excessive burdens, the assessment should also take account of the financial and technological capabilities and size of the provider concerned.*~~	orders
Recital 23				
34	(23) In addition, to avoid undue interference with fundamental rights and ensure proportionality, when it is established that those	(23) In addition, to avoid undue interference with fundamental rights and ensure proportionality, when it is established that those	~~*(23) In addition, to avoid undue interference with fundamental rights and ensure proportionality, when it is established that those*~~	Linked to voluntary detection/detection orders

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	requirements have been met and a detection order is to be issued, it should still be ensured that the detection order is targeted and specified so as to ensure that any such negative consequences for affected parties do not go beyond what is strictly necessary to effectively address the significant risk identified. This should concern, in particular, a limitation to an identifiable part or component of the service where possible without prejudice to the effectiveness of the measure, such as specific types of channels of a publicly available interpersonal communications service, or to specific users or specific groups of users, to the extent that they can be taken in isolation for the purpose of detection, as well as the specification of the safeguards additional to the ones already expressly specified in this Regulation, such as independent auditing, the provision of additional information or access to data, or reinforced human oversight and review, and the further limitation of the duration of application of the detection order that the Coordinating Authority deems necessary. To avoid unreasonable or disproportionate outcomes, such requirements should be set after an objective and diligent assessment	requirements have been met and a detection order is to be issued, it should still be ensured that the detection order is ~~*targeted and specified*~~***limited in time*** so as to ensure that any such negative consequences for affected parties do not go beyond what is strictly necessary to effectively address the significant risk identified. This should concern, in particular, a limitation to ~~*an identifiable part or component of the service where possible without prejudice to the effectiveness of the measure, such as*~~***individual users, or a*** specific ~~*types of channels of a publicly available interpersonal communications service, or to specific users or specific groups*~~***group*** of users, ***either as such or as subscribers to a specific channel of communication in respect of whom there are reasonable grounds of suspicion for a link, even an indirect one***~~*to the extent that they can be taken in isolation for the purpose of detection*~~, ***with child sexual abuse material as defined in Article 2*** as well as the specification of the safeguards additional to the ones already expressly specified in this Regulation, such as independent auditing, the provision of additional information or access to data, or	~~*requirements have been met and a detection order is to be issued, it should still be ensured that the detection order is targeted and specified so as to ensure that any such negative consequences for affected parties do not go beyond what is strictly necessary to effectively address the significant risk identified. This should concern, in particular, a limitation to an identifiable part or component of the service where possible without prejudice to the effectiveness of the measure, such as specific types of channels of a publicly available interpersonal communications service, or to specific users or specific groups of users, to the extent that they can be taken in isolation for the purpose of detection, as well as the specification of the safeguards additional to the ones already expressly specified in this Regulation, such as independent auditing, the provision of additional information or access to data, or reinforced human oversight and review, and the further limitation of the duration of application of the detection order that the Coordinating Authority deems necessary. To avoid unreasonable or disproportionate outcomes, such requirements should be set after an objective and diligent assessment*~~	

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	conducted on a case-by-case basis.	reinforced human oversight and review, and the further limitation of the duration of application of the detection order that the Coordinating Authority deems necessary. To avoid unreasonable or disproportionate outcomes, such requirements should be set after an objective and diligent assessment conducted on a case-by-case basis.	~~conducted on a case-by-case basis.~~	
Recital 24				
35	(24) The competent judicial authority or the competent independent administrative authority, as applicable in accordance with the detailed procedural rules set by the relevant Member State, should be in a position to take a well-informed decision on requests for the issuance of detections orders. That is of particular importance to ensure the necessary fair balance of the fundamental rights at stake and a consistent approach, especially in connection to detection orders concerning the solicitation of children. Therefore, a procedure should be provided for that allows the providers concerned, the EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') and, where so provided in this Regulation, the competent data protection authority designated	(24) The competent judicial ~~authority or the competent independent administrative~~ authority, as applicable in accordance with the detailed procedural rules set by the relevant Member State, should be in a position to take a well-informed decision on requests for the issuance of detections orders. That is of particular importance to ensure the necessary fair balance of the fundamental rights at stake and a consistent approach~~, especially in connection to detection orders concerning the solicitation of children~~. Therefore, a procedure should be provided for that allows the providers concerned, the EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') and, where so provided in this Regulation, the competent data protection authority designated	~~(24) The competent judicial authority or the competent independent administrative authority, as applicable in accordance with the detailed procedural rules set by the relevant Member State, should be in a position to take a well-informed decision on requests for the issuance of detections orders. That is of particular importance to ensure the necessary fair balance of the fundamental rights at stake and a consistent approach, especially in connection to detection orders concerning the solicitation of children. Therefore, a procedure should be provided for that allows the providers concerned, the EU Centre on Child Sexual Abuse established by this Regulation ('EU Centre') and, where so provided in this Regulation, the competent data protection authority designated~~	Linked to voluntary detection/detection orders

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	under Regulation (EU) 2016/679 to provide their views on the measures in question. They should do so as soon as possible, having regard to the important public policy objective at stake and the need to act without undue delay to protect children. In particular, data protections authorities should do their utmost to avoid extending the time period set out in Regulation (EU) 2016/679 for providing their opinions in response to a prior consultation. Furthermore, they should normally be able to provide their opinion well within that time period in situations where the European Data Protection Board has already issued guidelines regarding the technologies that a provider envisages deploying and operating to execute a detection order addressed to it under this Regulation.	under Regulation (EU) 2016/679 to provide their views on the measures in question. They should do so ~~*as soon as possible*~~***without undue delay***, having regard to the important public policy objective at stake and the need to act without undue delay to protect children. In particular, data protections authorities should do their utmost to avoid extending the time period set out in Regulation (EU) 2016/679 for providing their opinions in response to a prior consultation. Furthermore, they should normally be able to provide their opinion well within that time period in situations where the European Data Protection Board has already issued guidelines regarding the technologies that a provider envisages deploying and operating to execute a detection order addressed to it under this Regulation.	~~*under Regulation (EU) 2016/679 to provide their views on the measures in question. They should do so as soon as possible, having regard to the important public policy objective at stake and the need to act without undue delay to protect children. In particular, data protections authorities should do their utmost to avoid extending the time period set out in Regulation (EU) 2016/679 for providing their opinions in response to a prior consultation. Furthermore, they should normally be able to provide their opinion well within that time period in situations where the European Data Protection Board has already issued guidelines regarding the technologies that a provider envisages deploying and operating to execute a detection order addressed to it under this Regulation.*~~	
Recital 25				
G 36	(25) Where new services are concerned, that is, services not previously offered in the Union, the evidence available on the potential misuse of the service in the last 12 months is normally non-existent. Taking this into account, and to ensure the effectiveness of this Regulation, the Coordinating Authority should be able to draw on evidence stemming from comparable	*deleted*	~~*(25) Where new services are concerned, that is, services not previously offered in the Union, the evidence available on the potential misuse of the service in the last 12 months is normally non-existent. Taking this into account, and to ensure the effectiveness of this Regulation, the Coordinating Authority should be able to draw on evidence stemming from comparable*~~	*deleted* G

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	services when assessing whether to request the issuance of a detection order in respect of such a new service. A service should be considered comparable where it provides a functional equivalent to the service in question, having regard to all relevant facts and circumstances, in particular its main characteristics and functionalities, the manner in which it is offered and used, the user base, the applicable terms and conditions and risk mitigation measures, as well as the overall remaining risk profile.		~~services when assessing whether to request the issuance of a detection order in respect of such a new service. A service should be considered comparable where it provides a functional equivalent to the service in question, having regard to all relevant facts and circumstances, in particular its main characteristics and functionalities, the manner in which it is offered and used, the user base, the applicable terms and conditions and risk mitigation measures, as well as the overall remaining risk profile.~~	
Recital 26				
37	*(26)* The measures taken by providers of hosting services and providers of publicly available interpersonal communications services to execute detection orders addressed to them should remain strictly limited to what is specified in this Regulation and in the detection orders issued in accordance with this Regulation. In order to ensure the effectiveness of those measures, allow for tailored solutions, remain technologically neutral, and avoid circumvention of the detection obligations, those measures should be taken regardless of the technologies used by the providers concerned in connection to the provision of their services.	(26) The measures taken by providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services to execute detection orders addressed to them should remain strictly limited to what is specified in this Regulation and in the detection orders issued in accordance with this Regulation. In order to ensure the effectiveness of those measures, allow for tailored solutions, remain technologically neutral, and avoid circumvention of the detection obligations, those measures should be taken regardless of the technologies used by the providers concerned in connection to the provision of their services.	(26) ~~The measures taken by providers of hosting services and providers of publicly available interpersonal communications services to execute detection orders addressed to them should remain strictly limited to what is specified in this Regulation and in the detection orders issued in accordance with this Regulation. In order to ensure the effectiveness of those measures, allow for tailored solutions, remain technologically neutral, and avoid circumvention of the detection obligations, those measures should be taken regardless of the~~ ***Having regard to the availability of*** technologies ***that can be*** used ~~by the providers concerned in connection~~	Linked to voluntary detection/detection orders

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	Therefore, this Regulation leaves to the provider concerned the choice of the technologies to be operated to comply effectively with detection orders and should not be understood as incentivising or disincentivising the use of any given technology, provided that the technologies and accompanying measures meet the requirements of this Regulation. That includes the use of end-to-end encryption technology, which is an important tool to guarantee the security and confidentiality of the communications of users, including those of children. When executing the detection order, providers should take all available safeguard measures to ensure that the technologies employed by them cannot be used by them or their employees for purposes other than compliance with this Regulation, nor by third parties, and thus to avoid undermining the security and confidentiality of the communications of users.	Therefore, this Regulation leaves to the provider concerned the choice of the technologies to be operated to comply effectively with detection orders and should not be understood as incentivising or disincentivising the use of any given technology, provided that the technologies and accompanying measures meet the requirements of this Regulation. ~~*That includes the use of end-to-end encryption technology, which is an important tool to guarantee the security and confidentiality of the communications of users, including those of children.*~~ When executing the detection order, providers should take all available safeguard measures to ensure that the technologies employed by them cannot be used by them or their employees for purposes other than compliance with this Regulation, nor by third parties, and thus to avoid undermining the security and confidentiality of the communications of users***, while ensuring the effective detection of child sexual abuse material and the balance of all the fundamental rights at stake. In that regard, providers should ensure effective internal procedures and safeguards to prevent general monitoring. Detection orders should not apply to end-to-end encryption.***	~~*to the provision of their services. Therefore, this Regulation leaves to the provider concerned the choice of the technologies to be operated to comply effectively with detection orders and should not be understood as incentivising or disincentivising the use of any given technology, provided that the technologies and accompanying measures*~~***to*** meet the requirements of this Regulation~~.~~ ~~*That includes the use of*~~ ***whilst still allowing for end-to-end encryption, nothing in this Regulation should be interpreted as prohibiting, weakening or circumventing, requiring to disable, or making*** end-to-end encryption ~~*technology, which is an important tool to guarantee the security and confidentiality of the communications of users, including those of children*~~***impossible***. ~~*When executing the detection order,*~~ Providers should ~~*take all available safeguard measures to ensure that the technologies employed by them cannot be used by them or their employees for purposes other than compliance with*~~***remain free to offer services using end-to-end encryption and should not be obliged by*** this Regulation~~*, nor by third parties, and thus to avoid undermining the security and confidentiality of the communications of users.*~~ ***to decrypt***	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			data or create access to end-to-end encrypted data.	
Recital 27				
38	(27) In order to facilitate the providers' compliance with the detection obligations, the EU Centre should make available to providers detection technologies that they may choose to use, on a free-of-charge basis, for the sole purpose of executing the detection orders addressed to them. The European Data Protection Board should be consulted on those technologies and the ways in which they should be best deployed to ensure compliance with applicable rules of Union law on the protection of personal data. The advice of the European Data Protection Board should be taken into account by the EU Centre when compiling the lists of available technologies and also by the Commission when preparing guidelines regarding the application of the detection obligations. The providers may operate the technologies made available by the EU Centre or by others or technologies that they developed themselves, as long as they meet the requirements of this Regulation.	(27) In order to facilitate the providers' compliance with the detection obligations, the EU Centre should make available to providers ~~detection~~ technologies that they may choose to use, on a free-of-charge basis, for the sole purpose of executing the detection orders addressed to them. The European Data Protection Board ~~should~~***must*** be consulted on ***the use of*** those technologies and the ways in which they should be best deployed to ensure compliance with applicable rules of Union law on the protection of personal data. The advice of the European Data Protection Board should be taken into account by the EU Centre when compiling the lists of available technologies and also by the Commission when preparing guidelines regarding the application of the detection obligations. The providers ~~may operate~~***should not be limited to operating*** the technologies made available by the EU Centre or by others ***but should always be allowed to use*** or technologies that they developed themselves, as long as they meet the requirements of this Regulation ***and other applicable Union law, such as Regulation***	(27) In order to facilitate the providers' ~~compliance with the detection obligations~~***voluntary activities under Regulation (EU) 2021/1232*** , the EU Centre should make available to providers ~~detection~~ technologies that they may choose to use, on a free-of-charge basis, for the sole purpose of ~~executing the detection orders addressed to them~~***carrying out voluntary activities in line with Regulation (EU) 2021/1232*** . The European Data Protection Board should be consulted on those technologies and the ways in which they should be best deployed to ensure compliance with applicable rules of Union law on the protection of personal data. ~~The advice of the European Data Protection Board should be taken into account by the EU Centre when compiling the lists of available technologies and also by the Commission when preparing guidelines regarding the application of the detection obligations~~. The providers may operate the technologies made available by the EU Centre or by others or technologies that they developed themselves, as long as they meet the	Linked to voluntary detection/detection orders

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		(EU) 2016/679. Those technologies should be independently audited as regards their performance and reliability.	requirements of ~~*this*~~ Regulation ***(EU) 2021/1232***.	
Recital 27a				
G 38a		***(27a) Since the Commission consultations to the EDPB regarding several aspects of this Regulation will entail more work for the EDPB, its budget and staffing should be adapted accordingly. The situation of national authorities, who likewise will be regularly consulted by service providers, should also reflect their increased responsibilities.***		*deleted* G
Recital 28				
39	*(28)* With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently reliable, as well as to identify false positives and avoid to the extent erroneous reporting to the EU Centre, providers should ensure human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false negatives and positives generated by the technologies, based	(28) With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently ***accurate and*** reliable, as well as to identify false positives ***and false negatives*** and avoid to the extent erroneous reporting to the EU Centre, providers should ensure ***adequate*** human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false	~~*(28) With a view to constantly assess the performance of the detection technologies and ensure that they are sufficiently reliable, as well as to identify false positives and avoid to the extent erroneous reporting to the EU Centre, providers should ensure human oversight and, where necessary, human intervention, adapted to the type of detection technologies and the type of online child sexual abuse at issue. Such oversight should include regular assessment of the rates of false negatives and positives generated by the technologies, based*~~	Linked to voluntary detection/detection orders

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	on an analysis of anonymised representative data samples. In particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service providers should ensure regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children.	negatives and ***false*** positives generated by the technologies, based on an analysis of anonymised representative data samples. ~~*In particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service*~~ Providers should ensure ~~*regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children*~~***that staff carrying out such task is adequately trained***.	~~*on an analysis of anonymised representative data samples. In particular where the detection of the solicitation of children in publicly available interpersonal communications is concerned, service providers should ensure regular, specific and detailed human oversight and human verification of conversations identified by the technologies as involving potential solicitation of children.*~~	
Recital 29				
40	(29) Providers of hosting services and providers of publicly available interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, they should be required to report on potential online child sexual abuse on their services, whenever they become aware of it, that is, when there are reasonable grounds to believe that a particular activity may constitute online child sexual abuse.	(29) Providers of hosting services**,** and providers of publicly available ***number-independent*** interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, ~~*they should be required to report*~~***upon obtaining actual knowledge*** on potential online child sexual abuse on their services, ~~*whenever they become aware of it, that is, when there are reasonable*~~	(29) Providers of hosting services and providers of publicly available interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, they should be required to report on potential online child sexual abuse on their services, whenever they become aware of it, that is, when there are reasonable grounds to believe that a particular activity may constitute online child sexual abuse.	(29) Providers of hosting services**,** and providers of publicly available ***number-independent*** interpersonal communications services are uniquely positioned to detect potential online child sexual abuse involving their services. The information that they may obtain when offering their services is often indispensable to effectively investigate and prosecute child sexual abuse offences. Therefore, ***whenever they become aware of***~~*they should be required to report on*~~ potential online child sexual abuse on their services, ~~*whenever they become aware of it, that is, when there are reasonable grounds to*~~

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	Where such reasonable grounds exist, doubts about the potential victim's age should not prevent those providers from submitting reports. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. Such awareness could, for example, be obtained through the execution of detection orders, information flagged by users or organisations acting in the public interest against child sexual abuse, or activities conducted on the providers' own initiative. Those providers should report a minimum of information, as specified in this Regulation, for competent law enforcement authorities to be able to assess whether to initiate an investigation, where relevant, and should ensure that the reports are as complete as possible before submitting them.	~~grounds to believe that a particular activity may constitute online child sexual abuse~~***they should act expeditiously to remove or to disable access to that content and to report it to the EU Centre in accordance with this Regulation***. ~~Where such reasonable grounds exist, doubts about the potential victim's age~~ ***The removal or disabling of access*** should ~~not prevent those providers from submitting reports~~***respect the fundamental rights of the recipients of the service, including the right to freedom of expression and of information***. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. ***Providers can obtain such actual knowledge on potential online child sexual abuse on their services*** ~~Such awareness could~~, for example, ~~be obtained~~***through its own-initiative investigations,*** through the execution of detection orders, ***through notifications done by the Coordinating Authorities, as well as through*** information flagged by users***, self-reported by victims*** or organisations***, such as hotlines,*** acting in the public interest against child sexual abuse***. To this end, it is important that*** ~~, or activities conducted on the providers' own~~	Where such reasonable grounds exist, doubts about the potential victim's age should not prevent those providers from submitting reports. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. Such awareness could, for example, be obtained through ~~the execution of detection orders,~~ ***voluntary activities under Regulation (EU) 2021/1232*** information flagged by users or organisations acting in the public interest against child sexual abuse, or activities conducted on the providers' own initiative. Those providers should report a minimum of information, as specified in this Regulation, for competent law enforcement authorities to be able to assess whether to initiate an investigation, where relevant, and should ensure that the reports are as complete as possible before submitting them.	~~believe that a particular activity may constitute online child sexual abuse. Where such reasonable grounds exist, doubts about the potential victim's age~~***they should be required to act expeditiously to remove or to disable access to that content and to report it to the EU Centre in accordance with this Regulation. The removal or disabling of access*** should ~~not prevent those providers from submitting reports~~***respect the fundamental rights of the recipients of the service, including the right to freedom of expression and of information***. In the interest of effectiveness, it should be immaterial in which manner they obtain such awareness. Such awareness could ***be obtained***, for example, ~~be obtained~~***through their own-initiative investigations [,*** through the execution of detection orders,***] through notifications done by the competent authorities, as well as through*** information flagged by users***, self-reported by victims*** or organisations acting in the public interest against child sexual abuse, ~~or activities conducted on the providers' own initiative. Those~~***including hotlines. To this end, it is important that*** providers***, regardless of their size, have the obligation to put in place mechanisms that facilitate the***

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		~~initiative. Those~~ providers**,** ***regardless of their size, have the obligation to put in place mechanisms that facilitate the flagging or notification of online child sexual abuse. Those reports*** should report ***contain*** a minimum of information~~,~~ as specified in this Regulation, ~~for~~***and providers should ensure the quality of the information submitted so the EU Centre can conduct its assessment and*** competent law enforcement authorities ~~to be able to assess whether to initiate an investigation, where relevant, and should ensure that the~~***can focus on*** reports ***that are most likely to lead to the recovery of a child or/and the arrest of an offender, or both*** ~~are as complete as possible before submitting them~~.		***notification of online child sexual abuse. The reports*** should ~~report a minimum of~~***at least contain the*** information~~, as~~ specified in this Regulation ***and providers should ensure the completeness and quality of the information submitted, so the EU Centre can check whether reports are manifestly unfounded and*** ~~, for~~ competent ~~law enforcement~~ authorities ~~to be able to~~***can*** assess whether to initiate an investigation, where relevant~~, and should ensure that the reports are as complete as possible before submitting them~~. ITM (04.05.) - Provisionally agreed except bracketed part. Text Origin: CY PCY - drafting
Recital 29a				
40a			***(29a) Metadata connected to reported potential online child sexual abuse may be useful for investigative purposes and for the purpose to identify a suspect of a child sexual abuse offence.***	*deleted* *ITM (04.05.) - CNS to check.*
Recital 29b				
40b			***(29b) There should be an expedited reporting procedure when the information reported by the provider reasonably justifies the conclusion that there is likely to be***	

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			an imminent threat to the life or safety of a child or when the information indicates ongoing abuse. The expedited reporting procedure should limit the information required to be reported to the most necessary items of information and include the rest of the information required in the standard reporting procedure only if immediately available. The expedited reporting procedure should also include an expedited processing by the EU Centre. In addition to the cases that require expedited reporting, the provider should indicate in the report other situations that require urgent action but not expedited reporting, such as situations where the provider is aware of an ongoing investigation and the information reported by the provider reasonably justifies the conclusion that such information could be beneficial to that investigation.	
Recital 30				
41	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection, Coordinating Authorities of establishment should have the power to request competent judicial authorities or independent administrative authorities to issue a	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection ***and in order to stop or limit its dissemination***, Coordinating Authorities of establishment should have the power to request competent judicial ~~*authorities or independent*~~	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection, ~~*Coordinating Authorities of establishment*~~ ***the competent authority of each Member State, where applicable its judicial authority,*** should have the power ~~*to*~~	(30) To ensure that online child sexual abuse material is removed as swiftly as possible after its detection ***and in order to stop or limit its dissemination, I,*** Coordinating Authorities of ~~*establishment*~~***establishment/the competent authorities of each***

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	removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	~~*administrative*~~ authorities to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should***, without undue delay,*** inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions***, established for a limited time period,*** needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences. ***As a matter of principle, removal orders should be addressed to the service provider acting as a controller. However, in some circumstances, determining whether a service provider has the role of controller or processor can prove particularly challenging or addressing the controller could be detrimental to an ongoing investigation. Consequently, by way of derogation, it should be possible to address a removal order directly to the service provider that stores or otherwise processes the data.***	~~*request competent judicial authorities or independent administrative authorities*~~ to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	***Member State, where applicable its judicial authority]*** should have the power ***[***to request competent judicial authorities~~*or independent administrative authorities*~~***]*** to issue a removal order addressed to providers of hosting services. As removal or disabling of access may affect the right of users who have provided the material concerned, providers should***, without undue delay,*** inform such users of the reasons for the removal, to enable them to exercise their right of redress, subject to exceptions ***applicable for a limited time period,*** needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences. Written exchange (19.05.) - Provisionally agreed except bracketed part. Text Origin: CY PCY - drafting
Recital 31				
G 42	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders set out in Regulation	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders set out in Regulation	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders ***or the rules on no***	(31) The rules of this Regulation should not be understood as affecting the requirements regarding removal orders ***or the rules on no*** G

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	(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC].	(EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065**.	**general monitoring or active fact-finding obligations** set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065** .	**general monitoring or active fact-finding obligations** set out in Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~**2022/2065** . Text Origin: CY PCY - drafting
Recital 31a				
42a			**(31a) The rules of this Regulation should not be understood as affecting the relevant national requirements providing, in accordance with Union law, procedural safeguards regarding the issuing of removal, blocking or delisting orders, such as the control of the conformity with the applicable legal requirements of these orders by an independent authority.**	**(31a) The rules of this Regulation should not be understood as affecting the relevant national requirements providing, in accordance with Union law, procedural safeguards regarding the issuing of [detection], removal [or,] blocking [or delisting] orders, such as the control of the conformity with the applicable legal requirements of these orders by an independent authority.** ITM (04.05.) - Provisionally agreed except bracketed parts. Text Origin: CY PCY - drafting
Recital 31b				
42b			**(31b) In order to allow Member States to organise the process of issuance of removal, blocking or delisting orders in a manner compatible with their respective constitutional requirements and to enhance prior judicial control where deemed appropriate, they**	**(31b) In order to allow Member States to organise the process of issuance of [detection,] removal [or,] blocking [or delisting] orders in a manner compatible with their respective constitutional requirements and to enhance prior judicial control where deemed**

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			should have the possibility to require their respective competent authorities to request the competent judicial authority of the Member State concerned to issue some or all of those three types of orders under this Regulation. That possibility to derogate should however only concern the question which authority issues the orders. Accordingly, when a Member State makes use of that possibility, the competent authority concerned should remain responsible for assessing the need for the order at stake and for complying with all of the procedural requirements of this Regulation related to its preparation and follow-up. In that case, whilst it is for the competent judicial authority to conduct an additional verification of whether the conditions of this Regulation for issuing the order in question have been met, those conditions themselves should remain unaltered and be applied consistently across the Union. In the interest of effectiveness, that possibility should be subject to the Member State concerned taking all reasonable measures to ensure that the issuance of the orders by their judicial authorities does not lead to any undue delays. In addition, in the interest of transparency and	***appropriate, they should have the possibility to require their respective competent authorities to request the competent judicial authority of the Member State concerned to issue some or all of those three types of orders under this Regulation. That possibility to derogate should however only concern the question which authority issues the orders. Accordingly, when a Member State makes use of that possibility, the competent authority concerned should remain responsible for assessing the need for the order at stake and for complying with all of the procedural requirements of this Regulation related to its preparation and follow-up. In that case, whilst it is for the competent judicial authority to conduct an additional verification of whether the conditions of this Regulation for issuing the order in question have been met, those conditions themselves should remain unaltered and be applied consistently across the Union. In the interest of effectiveness, that possibility should be subject to the Member State concerned taking all reasonable measures to ensure that the issuance of the orders by their judicial authorities does not lead to any undue delays. In addition, in the interest of transparency and***

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			legal certainty, it should be ensured that the necessary information regarding the use of the possibility is publicly available.	***legal certainty, it should be ensured that the necessary information regarding the use of the possibility is publicly available.*** Trilogue (11.05.): Further discussion at technical level. Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Recital 31c				
42c			***(31c) In the interest of effectiveness, it should be possible for the competent authorities of Member States to issue, in accordance with this Regulation, removal orders also against providers of hosting services that have their main establishment, or their legal representative, in another Member State. Given the particularity of this situation, it is appropriate to provide for a specific procedure applicable to such cross-border removal orders, so as to allow, but not require under Union law, the Coordinating Authority of that Member State to scrutinise them in respect of certain serious or manifest infringements that may occur in exceptional cases, insofar as the application of that specific procedure is required to comply***	***(31c) In the interest of effectiveness, it should be possible for the competent authorities of Member States to issue, in accordance with this Regulation, removal orders also against providers of hosting services that have their main establishment, or their legal representative, in another Member State. Given the particularity of this situation, it is appropriate to provide for a specific procedure applicable to such cross-border removal orders, so as to allow, but not require, under Union law, the Coordinating Authority of that Member State to scrutinise them in respect of certain serious or manifest infringements that may occur in exceptional cases, insofar as the application of that specific procedure is required to comply***

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			with the constitutional law of the relevant Member State. To that aim, such cross-border removal orders should be transmitted via that Coordinating Authority to the provider of hosting services concerned. However, if that Coordinating Authority establishes by reasoned decision, after having carried out a diligent and objective assessment and after having informed the Coordinating Authority of the Member State whose authority issued the removal order and taken into account its response insofar as possible, that such an infringement occurred, the removal order should not be transmitted and should not take legal effect, it then being for the authority that issued the cross-border removal order to take the necessary steps to withdraw or annul it upon being notified of the reasoned decision. All actions required as part of this procedure should be taken as swiftly as possible and in any event within the set time periods, so as to ensure that any undue delays are avoided, and as much as possible in sincere cooperation between the competent authorities involved.	***with the constitutional law of the relevant Member State. To that aim, such cross-border removal orders should be transmitted via that Coordinating Authority to the provider of hosting services concerned. However, if that Coordinating Authority establishes by reasoned decision, after having carried out a diligent and objective assessment and after having informed the Coordinating Authority of the Member State whose authority issued the removal order and taken into account its response insofar as possible, that such an infringement occurred, the removal order should not be transmitted and should not take legal effect, it then being for the authority that issued the cross-border removal order to take the necessary steps to withdraw or annul it upon being notified of the reasoned decision. All actions required as part of this procedure should be taken as swiftly as possible and in any event within the set time periods, so as to ensure that any undue delays are avoided, and as much as possible in sincere cooperation between the competent authorities involved.*** Trilogue (11.05.): Further discussion at technical level.

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				Text Origin: CY PCY - drafting
Recital 32				
43	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, it should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material.	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, it should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material.	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, it should be possible to require providers of internet access services to take reasonable measures to block the access of users in the Union to the material***, when less intrusive measures such as the removal of the material are not reasonably possible or it is likely that such measures will fail***.	(32) The obligations of this Regulation do not apply to providers of hosting services that do not offer their services in the Union. However, such services may still be used to disseminate child sexual abuse material to or by users in the Union, causing harm to children and society at large, even if the providers' activities are not targeted towards Member States and the total numbers of users of those services in the Union are limited. For legal and practical reasons, it may not be reasonably possible to have those providers remove or disable access to the material ***at source***, not even through cooperation with the competent authorities of the third country where they are established. Therefore, in line with existing practices in several Member States, ***and having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination,*** it should be possible to require providers of internet access services to take reasonable measures to block

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				the access of users in the Union to the material***, when less intrusive measures such as the removal of the material are not reasonably possible***. Trilogue (11.05.): Provisionally agreed. Text Origin: CY PCY - drafting
Recital 33				
44	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders should be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens imposed on the providers of internet	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders should be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens imposed on the providers of internet	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders ~~*should*~~ ***could*** be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens imposed on the providers of internet	(33) In the interest of consistency, efficiency and effectiveness and to minimise the risk of circumvention, such blocking orders should be based on the list of uniform resource locators, leading to specific items of verified child sexual abuse, compiled and provided centrally by the EU Centre on the basis of diligently verified submissions by the relevant authorities of the Member States. In order to avoid the taking of unjustified or disproportionate measures, especially those that would unduly affect the fundamental rights at stake, notably, in addition to the rights of the children, the users' freedom of expression and information and the providers' freedom to conduct a business, appropriate limits and safeguards should be provided for. In particular, it should be ensured that the burdens imposed on the providers of internet

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress.	access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress.	access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress.	access services concerned are not unreasonable, that the need for and proportionality of the blocking orders is diligently assessed also after their issuance and that both the providers and the users affected have effective means of judicial as well as non-judicial redress. ***It should also be recognised that, in certain cases, a provider may be unable to execute a blocking order due to force majeure or de facto impossibility, including for objectively justified technical or operational reasons such as where implementation of the order would lead to the collateral blocking of lawful content.*** Informal meeting (13.05.) -EP and CNS to check. Text Origin: CY PCY - drafting
Recital 33a				
44a			***(33a) To ensure that online child sexual abuse material is delisted as swiftly as possible after its detection, the competent authority of each Member State, or where applicable its judicial authority, should have the power to issue a delisting order addressed to providers of online search engines. As delisting may affect the right of users who have provided the***	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			material concerned, providers should inform such users of the reasons for the delisting, to enable them to exercise their right of redress, subject to exceptions needed to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	
Recital 33b				
44b			***(33b) In the interest of ensuring effective cooperation in the delisting of online child sexual abuse material, it should be possible for the competent authorities of each Member State, or where applicable its judicial authority, to issue a delisting order to a provider of an online search engine that does not have its main establishment or legal representative in the Member State of the authority that issued the delisting order. Given the particularity of this situation, and in the interest of consistency, provision should be made for a procedure applicable to such cross-border delisting orders that is the same as the procedure for cross-border removal orders.***	
Recital 34				
45	(34) Considering that acquiring,	(34) Considering that acquiring,	(34) Considering that acquiring,	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under this Regulation and they act in good faith.	possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, ***including when carrying out voluntary own-initiative investigations, or taking other measures,*** insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under ***the Union law, including*** this Regulation and they act in good faith ***and in a diligent manner***.	possessing, knowingly obtaining access and transmitting child sexual abuse material constitute criminal offences under Directive 2011/93/EU, it is necessary to exempt providers of relevant information society services from criminal liability when they are involved in such activities, insofar as their activities remain strictly limited to what is needed for the purpose of complying with their obligations under this Regulation and they act in good faith.	
Recital 35				
46	(35) The dissemination of child sexual abuse material is a criminal offence that affects the rights of the victims depicted. Victims should therefore have the right to obtain, upon request, from the EU Centre yet via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available interpersonal communications services in accordance with this Regulation.	(35) ~~The~~***Each act of*** dissemination of child sexual abuse material***, including the non-consensual dissemination of self-generated material,*** is a criminal offence that affects the rights of the victims depicted***, of whom the vast majority are girls. Repeated dissemination of child sexual abuse material constitutes a form of revictimization which could cause long-lasting negative consequences on the victim, and may reach extreme level in cases of so-called 'highly traded' material***. Victims ***or their parents***	(35) The dissemination of child sexual abuse material is a criminal offence that affects the rights of the victims depicted. Victims should therefore have the right to obtain, upon request, from the EU Centre yet via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available interpersonal communications services in accordance with this Regulation.	(35) The dissemination of child sexual abuse material***, including self-generated material disseminated without consent,*** is a criminal offence that affects the rights of the ~~victims~~***depicted persons who are subject to child sexual abuse. The repeated dissemination of such material can cause long-lasting negative consequences for the persons*** depicted ***who are subject to child sexual abuse, which may be far-reaching in cases of so-called 'highly traded' material***. ***Alongside the rights that depicted***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		and guardians or legal representatives acting on their behalf should therefore have the right to obtain, upon request, from the EU Centre yet via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available ***number-independent*** interpersonal communications services in accordance with this Regulation. ***In dealing with such requests from cases of highly traded child sexual abuse material, particular care should be taken by the EU Centre and Coordinating Authorities to ensure the safeguarding of the victims concerned. For that purpose, staff dealing with such cases shall be specifically trained to interact with victims of serious abuse. This information should be provided, within a reasonable period of time, in the language indicated by the victim, in a confidential, age-appropriate, accessible, understandable and gender-sensitive manner and tailored to the specific vulnerabilities of the victims, such as their disability. The information should also cover information regarding victims' rights, support and assistance.***		***persons who are subject to child sexual abuse might have as*** victims ***of a criminal offence under other relevant Union law, persons residing in the Union and Union citizens residing outside the Union*** should ~~*therefore*~~ have the right to obtain, upon request, from the EU Centre ~~*yet*~~, via the Coordinating Authorities, relevant information if known child sexual abuse material depicting them is reported by providers of hosting services or providers of publicly available ***number-independent*** interpersonal communications services in accordance with this Regulation. ***That information should be provided without undue delay, where this was indicated in the request, annually, in a manner that is accessible to the persons concerned. Where Coordinating Authorities are requested to provide that information annually, they should be allowed to store the information they receive from providers linked to that request throughout the year with a view to automatically providing the information to the person that requested it on an annual basis. The rights under this Regulation should apply regardless of the qualification of such persons as victims of criminal offences under***

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				other relevant Union law. This Regulation should be without prejudice to the rights to information and support of persons qualifying as victims under Directive 2012/29/EU, as well as all the other rights provided therein. Trilogue (11.05.) - Provisionally agreed. Text Origin: CY PCY - drafting
Recital 36				
G 47	(36) Given the impact on the rights of victims depicted in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist victims who request the removal or disabling of access of the material in question. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the content and scope of the request, the steps needed to locate the items of known child sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to	(36) Given the impact on the rights of victims depicted in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist victims ***or their parents and guardians or legal representatives*** who request the removal or disabling of access of the material in question ***in a timely manner, in order to minimise the impact that such offences have on the physical and mental health of the victim***. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the content and scope of the request, the steps needed to locate the items of known child	(36) Given the impact on the rights of victims depicted in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist victims who request the removal or disabling of access of the material in question. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the content and scope of the request, the steps needed to locate the items of known child sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to	(36) Given the impact on the rights of ~~*victims*~~ depicted ***persons who are subject to child sexual abuse*** in such known child sexual abuse material and the typical ability of providers of hosting services to limit that impact by helping ensure that the material is no longer available on their services, those providers should assist ~~*victims*~~***persons residing in the Union and Union citizens residing outside the Union*** who request the removal or disabling of access of the material in question ***without undue delay to minimise the potential impact on them***. That assistance should remain limited to what can reasonably be asked from the provider concerned under the given circumstances, having regard to factors such as the content and scope of the request, the steps needed to locate the items of known child G

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	the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, victims should also have the right to be assisted by the EU Centre in this regard, via the Coordinating Authorities.	sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, victims should also have the right to be assisted ***and receive adequate support by specifically trained staff of*** ~~by~~ the EU Centre in this regard, via the Coordinating Authorities.	the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, victims should also have the right to be assisted by the EU Centre in this regard, via the Coordinating Authorities.	sexual abuse material concerned and the means available to the provider. The assistance could consist, for example, of helping to locate the items, carrying out checks and removing or disabling access to the items. Considering that carrying out the activities needed to obtain such removal or disabling of access can be painful or even traumatic as well as complex, ~~victims~~***depicted persons residing in the Union and Union citizens residing outside the Union who are subject to child sexual abuse*** should also have the right to ~~be assisted~~***receive adequate support*** by the EU Centre in this regard, via the Coordinating Authorities. Text Origin: CY PCY - drafting
Recital 37				
G 48	(37) To ensure the efficient management of such victim support functions, victims should be allowed to contact and rely on the Coordinating Authority that is most accessible to them, which should channel all communications between victims and the EU Centre.	(37) To ensure the efficient management of such victim support functions, victims should ***be informed about the existence of such functions and*** be allowed to contact and rely on the Coordinating Authority that is most accessible to them, which should channel all communications between victims and the EU Centre.	(37) To ensure the efficient management of such victim support functions, victims should be allowed to contact and rely on the Coordinating Authority that is most accessible to them, which should channel all communications between victims and the EU Centre.	(37) To ensure the efficient management of such victim support functions, ~~victims~~***persons residing in the Union and Union citizens residing outside the Union*** should be allowed to contact and rely on the Coordinating Authority that is most accessible to them, which should channel all communications between ~~victims~~***them*** and the EU Centre. ***To raise awareness of the existence of these support functions, Member States should make information regarding these functions publicly*** G

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				available in an easily accessible manner, for example through public awareness raising campaigns. Text Origin: CY PCY - drafting
Recital 38				
49	(38) For the purpose of facilitating the exercise of the victims' right to information and of assistance and support for removal or disabling of access, victims should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question.	(38) For the purpose of facilitating the exercise of the victims' right to information and of assistance and support for removal or disabling of access, victims should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question.	(38) For the purpose of facilitating the exercise of the victims' right to information and of assistance and support for removal or disabling of access, victims should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question.	(38) For the purpose of facilitating the exercise of the ~~*victims*~~***persons***' right to information and of assistance and support for removal or disabling of access, ~~*victims*~~***depicted persons who are subject to child sexual abuse*** should be allowed to indicate the relevant item or items of child sexual abuse material in respect of which they are seeking to obtain information or removal or disabling of access either by means of providing the image or images or the video or videos themselves, or by means of providing the uniform resource locators leading to the specific item or items of child sexual abuse material, or by means of any other representation allowing for the unequivocal identification of the item or items in question. Text Origin: CY PCY - drafting
Recital 38a				
49a		***(38a) The Union budget should provide complementary funding to***		*deleted*

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		ensure a high level of support and protection for victims, including through sufficient resources in dedicated funding programmes, and through the promotion of innovative solutions to improve the quality and accessibility of the needed services. The relevant programmes under the next Multiannual Financial Framework should contain sufficient financial and human resources to ensure sufficient funding for an adequate Union contribution to the proper implementation.		
Recital 39				
50	*(39)* To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than necessary for one or more of the purposes specified in this Regulation and subject to an appropriate maximum duration. As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive	(39) To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than necessary for one or more of the purposes specified in this Regulation and subject to an appropriate maximum duration. As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive	(39) To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than necessary for one or more of the purposes specified in this Regulation and subject to an appropriate maximum duration. ***Any data should be immediately and permanently deleted as soon as they are no longer strictly necessary for one of the purposes specified in this Regulation.*** As those preservation requirements relate only to this	(39) To avoid disproportionate interferences with users' rights to private and family life and to protection of personal data, the data related to instances of potential online child sexual abuse should not be preserved by providers of relevant information society services, unless and for no longer than ***strictly*** necessary for one or more of the purposes specified in this Regulation and subject to an appropriate maximum duration. ***Any such data should be immediately and permanently deleted as soon as they are no longer strictly necessary for one of the purposes specified in this Regulation or when the appropriate maximum storage***

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	2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law.	2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law.	Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive 2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law. ***In order to achieve the specific purposes set out in this Regulation, providers of hosting services and providers of interpersonal communications services should keep logs with the time and duration of the processing and, where applicable, the person performing the processing, in accordance with Regulation (EU) 2016/679.***	***period has been reached, whichever comes first***. As those preservation requirements relate only to this Regulation, they should not be understood as affecting the possibility to store relevant content data and traffic data in accordance with Directive 2002/58/EC or the application of any legal obligation to preserve data that applies to providers under other acts of Union law or under national law that is in accordance with Union law. ***[In order to achieve the specific purposes set out in this Regulation, providers of hosting services and providers of number-independent interpersonal communications services should keep logs with the time and duration of the processing and, where applicable, the person performing the processing, in accordance with Regulation (EU) 2016/679.]*** Written exchange (08.04.) - Provisionally agreed except bracketed part. Bracketed part to be revisited following an agreement on logging. Text Origin: CY PCY - drafting
Recital 40				
G 51	(40) In order to facilitate smooth and efficient communications by electronic means, including, where	(40) In order to facilitate smooth and efficient communications by electronic means, including, where	(40) In order to facilitate smooth and efficient communications by electronic means, including, where	(40) In order to facilitate smooth and efficient communications by electronic means, including, where G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC], one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks.	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ **2022/2065**, one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks.	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ **2022/2065** , one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks.	relevant, by acknowledging the receipt of such communications, relating to matters covered by this Regulation, providers of relevant information society services should be required to designate a single point of contact and to publish relevant information relating to that point of contact, including the languages to be used in such communications. In contrast to the provider's legal representative, the point of contact should serve operational purposes and should not be required to have a physical location. Suitable conditions should be set in relation to the languages of communication to be specified, so as to ensure that smooth communication is not unreasonably complicated. For providers subject to the obligation to establish a compliance function and nominate compliance officers in accordance with Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~ **2022/2065**, one of these compliance officers may be designated as the point of contact under this Regulation, in order to facilitate coherent implementation of the obligations arising from both frameworks. Text Origin: EP Mandate

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Recital 41				
52	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are not established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with.	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are not established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with.	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are ~~not~~ established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with.	(41) In order to allow for effective oversight and, where necessary, enforcement of this Regulation, providers of relevant information society services that are ~~not~~ established in a third country and that offer services in the Union should have a legal representative in the Union and inform the public and relevant authorities about how the legal representative can be contacted. In order to allow for flexible solutions where needed and notwithstanding their different purposes under this Regulation, it should be possible, if the provider concerned has made this clear, for its legal representative to also function as its point of contact, provided the relevant requirements of this Regulation are complied with. Text Origin: Council Mandate
Recital 42				
53	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) …/… [on a Single	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) ~~…/… [on a Single~~	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) ~~…/… [on a Single~~	(42) Where relevant and convenient, subject to the choice of the provider of relevant information society services and the need to meet the applicable legal requirements in this respect, it should be possible for those providers to designate a single point of contact and a single legal representative for the purposes of Regulation (EU) ~~…/… [on a Single~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] and this Regulation.	~~*Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065,*** and this Regulation.	~~*Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC] and this Regulation*~~***2022/2065*** .	~~*Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065,*** and this Regulation. Text Origin: EP Mandate
Recital 43				
54	(43) In the interest of the effective application and, where necessary, enforcement of this Regulation, each Member State should designate at least one existing or newly established authority competent to ensure such application and enforcement in respect of providers of relevant information society services under the jurisdiction of the designating Member State.	(43) In the interest of the effective application and, where necessary, enforcement of this Regulation, each Member State should designate at least one existing or newly established authority competent to ensure such application and enforcement in respect of providers of relevant information society services under the jurisdiction of the designating Member State.	~~*(43) In the interest of the effective application and, where necessary, enforcement of this Regulation, each Member State should designate at least one existing or newly established authority competent to ensure such application and enforcement in respect of providers of relevant information society services under the jurisdiction of the designating Member State.*~~	(43) ~~*In the interest of the effective application and, where necessary, enforcement of this Regulation,*~~ Each Member State should designate at least one existing or newly established authority ~~*competent*~~ to ensure ~~*such*~~***the effective, efficient and consistent*** application and***, where necessary,*** enforcement ***of this Regulation*** in respect of providers of relevant information society services under ~~*the*~~***their*** jurisdiction~~*of the designating*~~***. In this regard,*** Member ~~*State*~~***States should be allowed to implement solutions that are best adapted to their respective circumstances. In particular, they should be allowed to designate any suitable national authorities, including administrative, law enforcement or judicial ones, as competent authorities for the purposes of this Regulation, provided that all requirements set out in this Regulation are fully respected, including as regards their status and the manner in which they***

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				perform their tasks. Member States should be free to decide on the number of competent authorities they designate to apply [and enforce] this Regulation. [Moreover, Member States should be allowed to designate a judicial authority or independent administrative authority for the issuance of certain orders in accordance with this Regulation, and to comply with the requirements resulting from the Charter, in particular concerning effective judicial redress against the competent authorities' decisions. Member States should also be able to provide for the ex post administrative or judicial review of the orders issued by competent authorities in accordance with national law, even when such review is not specifically provided for in this Regulation.] Written exchange (08.04.) - ON HOLD (linked to Art. 26) Merged with Council AMs in lines 56a and 57a. Bracketed parts are linked to agreement on responsible enforcement bodies (consistent with DSA) and on competent authorities for issuing the orders. Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 44				
55	(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities.	(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, ***including issues related to prevention and combating child sexual abuse and assistance to victims,*** without prejudice to the enforcement powers of other national authorities.	~~(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities.~~	(44) In order to provide clarity and enable effective, efficient and consistent coordination and cooperation both at national and at Union level, where a Member State designates more than one competent authority to apply and enforce this Regulation, it should designate one lead authority as the Coordinating Authority~~, whilst the designated authority should automatically be considered the Coordinating Authority where a Member State designates only one authority. For those reasons~~ ***for which tasks are reserved under this Regulation. In particular***, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities. ***The Coordinating Authority should in principle be the main interlocutor of the EU Centre. Where a Member State designates only one competent authority, this authority should also be the Coordinating Authority.*** Text Origin: CY PCY - drafting
Recital 45				
56	(45) Considering the EU Centre's particular expertise and central	(45) Considering the EU Centre's particular expertise and central	(45) Considering the EU Centre's particular expertise and central	(45) Considering the EU Centre's particular expertise and central

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	position in connection to the implementation of this Regulation, Coordinating Authorities should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without prejudice to the respective tasks and powers of the Coordinating Authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation.	position in connection to the implementation of this Regulation, Coordinating Authorities should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without prejudice to the respective tasks and powers of the Coordinating Authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation.	position in connection to the implementation of this Regulation, ~~Coordinating~~ ***competent*** authorities should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without prejudice to the respective tasks and powers of the ~~Coordinating~~ ***competent*** authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation.	position in connection to the implementation of this Regulation, Coordinating Authorities ***and other competent authorities, through the Coordinating Authorities,*** should be able to request the assistance of the EU Centre in carrying out certain of their tasks. Such assistance should be without prejudice to the respective tasks and powers of the Coordinating Authorities requesting assistance and of the EU Centre and to the requirements applicable to the performance of their respective tasks and the exercise of their respective powers provided in this Regulation. ***In situations of urgent operational need, including in situations that require immediate action by competent authorities, such as emergency cases, competent authorities should be allowed to directly request assistance of the EU Centre.*** Text Origin: CY PCY - drafting
Recital 45a				
56a			***(45a) For the purposes of this Regulation, Member States should designate competent authorities. This should not necessarily imply the establishment of a new authority and it should be possible for each Member State to entrust an existing body with the functions***	*deleted*

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			provided for in this Regulation, and to decide on the number of competent authorities to be designated. With a view to leaving Member States a degree of flexibility so as to implement solutions best adapted to their particular circumstances, whilst also ensuring the coordination at domestic level and cooperation at EU level needed to ensure the consistent, efficient and effective application of this Regulation, Member States should be able to designate several competent authorities yet be required in that case to appoint one of them as the Coordinating Authority for which certain tasks are exclusively reserved under this Regulation. In particular, the Coordinating Authority should act as the single contact point with regard to all matters related to the application of this Regulation, without prejudice to the enforcement powers of other national authorities. Therefore, each mention of competent authorities in this Regulation should be interpreted as referring to the relevant competent authorities designated by the Member States, including where relevant Coordinating Authorities, while each mention of Coordinating Authorities should be interpreted as	

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			referring to Coordinating Authorities only, to the exclusion of any other competent authorities that the Member States may have designated. Member States should also be able to provide for the ex post administrative or judicial review of the orders issued by competent authorities, in accordance with national law, including when such review is not specifically provided for in this Regulation.	
Recital 46				
57	*(46)* Given the importance of their tasks and the potential impact of the use of their powers for the exercise of fundamental rights of the parties affected, it is essential that Coordinating Authorities are fully independent. To that aim, the rules and assurances applicable to Coordinating Authorities should be similar to those applicable to courts and tribunals, in order to guarantee that they constitute, and can in all respects act as, independent administrative authorities.	(46) Given the importance of their tasks and the potential impact of the use of their powers for the exercise of fundamental rights of the parties affected, it is essential that Coordinating Authorities are fully independent. To that aim, the rules and assurances applicable to Coordinating Authorities should be similar to those applicable to courts and tribunals, in order to guarantee that they constitute, and can in all respects act as, independent administrative authorities.	~~*(46) Given the importance of their tasks and the potential impact of the use of their powers for the exercise of fundamental rights of the parties affected, it is essential that Coordinating Authorities are fully independent. To that aim, the rules and assurances applicable to Coordinating Authorities should be similar to those applicable to courts and tribunals, in order to guarantee that they constitute, and can in all respects act as, independent administrative authorities.*~~	*deleted*
Recital 46a				
57a			***(46a) Member States should be free to designate any suitable national authority, including administrative, law enforcement or judicial ones as appropriate, as competent authority***	*deleted*

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			for the purpose of this Regulation, provided that all requirements of this Regulation relating to them are fully respected, including as regards the competent authorities' status and the manner in which they perform their tasks, their investigatory and enforcement powers, complaint-handling and cooperation at EU level. Member States should also be free to designate a judicial authority or independent administrative authority for the issuance of certain orders in accordance with this Regulation, as well as the requirements resulting from the Charter, in particular as regards effective judicial redress against the competent authorities' decisions.	
Recital 46b				
57b			***(46b) In order to ensure that the competent authorities designated under this Regulation carry out their tasks under this Regulation in an objective, adequate and responsible manner, in compliance with the fundamental rights guaranteed under the Charter and without any undue interference, certain requirements in this respect should be provided for. Those requirements should not be interpreted as precluding judicial review of the activities of competent***	***(46b) In order to ensure that the Coordinating Authorities and other competent authorities designated under this Regulation carry out their tasks under this Regulation in an objective, impartial and non-discriminatory manner, in compliance with the fundamental rights guaranteed under the Charter and without any undue interference, these authorities should fulfil certain requirements. Those requirements should not be interpreted as precluding***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			authorities in accordance with EU law or with national law.	***supervision of their activities in accordance with national law.*** To be aligned with outcome on Art. 26 (line 475a). Text Origin: CY PCY - drafting
Recital 47				
58	(47) The Coordinating Authority, as well as other competent authorities, play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also the necessary financial, human, technological and other resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined taking into account the size,	(47) The Coordinating Authority, as well as other competent authorities, play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also ~~the~~***all*** necessary ***resources, including sufficient*** financial, human, technological and other resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined	(47) ~~*The Coordinating Authority, as well as other*~~ Competent authorities***,*** ***including Coordinating Authorities*** , play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also the necessary financial, human, technological and other resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with the necessary number of staff, including experts with specialised skills. The resources of Coordinating Authorities should be determined	(47) ~~*The*~~***Competent authorities, including*** Coordinating~~*Authority, as well as other competent*~~ Authorities, play a crucial role in ensuring the effectiveness of the rights and obligations laid down in this Regulation and the achievement of its objectives. Accordingly, it is necessary to ensure that those authorities have not only the necessary investigatory and enforcement powers, but also the necessary ~~*financial, human, technological and other*~~ resources to adequately carry out their tasks under this Regulation. In particular, given the variety of providers of relevant information society services and their use of advanced technology in offering their services, it is essential that the Coordinating Authority, as well as other competent authorities, are equipped with ***sufficient financial and technological resources as well as*** the necessary number of staff, including experts with specialised

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	complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.	taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.	taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union.	skills. The resources of Coordinating Authorities should be determined taking into account the size, complexity and potential societal impact of the providers of relevant information society services under the jurisdiction of the designating Member State, as well as the reach of their services across the Union. Text Origin: CY PCY - drafting
Recital 48				
G 59	(48) Given the need to ensure the effectiveness of the obligations imposed, Coordinating Authorities should be granted enforcement powers to address infringements of this Regulation. These powers should include the power to temporarily restrict access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights of the service providers that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement results in the regular and structural facilitation of child sexual abuse offences, which should be	(48) Given the need to ensure the effectiveness of the obligations imposed, Coordinating Authorities should be granted enforcement powers to address infringements of this Regulation. These powers should include the power ***to request the competent judicial authority of the Member State that designated them*** to temporarily restrict access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights ***of the users and*** of the service providers that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement	(48) Given the need to ensure the effectiveness of the obligations imposed, ~~*Coordinating*~~ ***competent*** authorities should be granted enforcement powers to address infringements of this Regulation. ~~*These*~~***In particular, given the importance of ensuring that all possible risk mitigation measures have been taken in accordance with this Regulation, the competent authorities should be granted specific powers to require providers to adjust their risk assessment or mitigation measures so as to ensure compliance with the relevant requirements of this Regulation. The enforcement*** powers should include the power to temporarily restrict access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of	(48) Given the need to ensure the effectiveness of the obligations imposed, ~~*Coordinating*~~***competent*** authorities should be granted enforcement powers to address infringements of this Regulation. ~~*These*~~***The enforcement*** powers should include the power to ~~*temporarily restrict*~~***order the temporary restriction of*** access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place. In light of the high level of interference with the rights of the service providers ***and the users*** that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement results in the regular G

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	understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.	results in the regular and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.	the provider on which the infringement takes place. In light of the high level of interference with the rights of the service providers that such a power entails, the latter should only be exercised when certain conditions are met. Those conditions should include the condition that the infringement results in the regular and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time.	and structural facilitation of child sexual abuse offences, which should be understood as referring to a situation in which it is apparent from all available evidence that such facilitation has occurred on a large scale and over an extended period of time. Text Origin: CY PCY - drafting
Recital 49				
60	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of detection orders, removal orders or blocking orders that it issued, are effectively complied in practice, each Coordinating Authority should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers concerned.	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of detection orders, removal ~~*orders or*~~, blocking orders that it issued, are effectively complied in practice, each Coordinating Authority should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers concerned.	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of ~~*detection orders,*~~ removal orders ~~*or*~~ , blocking orders ~~*that it*~~ ***or delisting orders*** issued, are effectively complied in practice, ~~*each Coordinating Authority*~~ ***competent authorities*** should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers	(49) In order to verify that the rules of this Regulation, in particular those on mitigation measures and on the execution of ***[***detection orders,***]*** removal orders, ***[delisting orders]*** or blocking orders that it issued, are effectively complied in practice, ~~*each Coordinating Authority*~~***competent authorities*** should be able to carry out searches, using the relevant indicators provided by the EU Centre, to detect the dissemination of known or new child sexual abuse material through publicly available material in the hosting services of the providers

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			concerned.	concerned. Written exchange (08.04.) - Provisionally agreed except bracketed part. Bracketed parts to be aligned with outcome of discussions on Chapter 2; other parts are aligned with the provisional agreement on line 532 Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Recital 50				
G 61	(50) With a view to ensuring that providers of hosting services are aware of the misuse made of their services and to afford them an opportunity to take expeditious action to remove or disable access on a voluntary basis, Coordinating Authorities of establishment should be able to notify those providers of the presence of known child sexual abuse material on their services and requesting removal or disabling of access thereof, for the providers' voluntary consideration. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation to request the issuance of removal orders, which impose on the provider concerned a binding legal	(50) With a view to ensuring that providers of hosting services are aware of the misuse made of their services and to afford them an opportunity to take expeditious action to remove or disable access ~~on a voluntary basis~~, Coordinating Authorities of establishment should be able to notify those providers of the presence of known child sexual abuse material on their services and requesting removal or disabling of access thereof~~, for the providers' voluntary consideration~~. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation to request the ***competent judicial authority of the Member State that designated them the***	(50) ~~With a view to ensuring that~~ ***Nothing in this Regulation should be understood as precluding competent authorities designated therein to submit notices to*** providers of hosting services ~~are aware of the misuse made of their services and to afford them an opportunity to take expeditious~~***on the basis of notice and*** action ***mechanisms pursuant to Article 16 of Regulation (EU) 2022/2065***~~to remove or disable access on a voluntary basis, Coordinating Authorities of establishment should be able~~ to notify ~~those providers~~***them*** of the presence ***of one or more specific items*** of known child sexual abuse material~~on their services and requesting removal or~~	(50) ~~With a view to ensuring that~~***Referrals by competent authorities to*** providers of hosting services ~~are aware of the misuse made of their services and to afford them an opportunity to take expeditious action to remove or disable access on a voluntary basis, Coordinating Authorities of establishment should be able to notify those~~***have proven to be an effective and swift means of alerting*** providers of ~~the presence of known~~***hosting services of information that could be considered to be*** child sexual abuse material ~~on their services and requesting removal or disabling of access thereof, for the providers' voluntary consideration. Such~~ G

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	obligation to remove or disable access to the material in question within a set time period.	issuance of removal orders~~, which impose on the provider concerned a binding legal obligation to remove or disable access to the material in question within a set time period~~.	~~disabling of access thereof, for the providers' voluntary consideration. Such notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation~~***, nor*** to request the ~~issuance of removal orders, which impose on the provider concerned a binding legal obligation to remove or disable access to the material in question within a set time period~~***status of trusted flagger under the conditions established under Article 22 of that Regulation***.	~~notifying activities should be clearly distinguished from the Coordinating Authorities' powers under this Regulation~~***and*** to request ~~the issuance of removal orders, which impose on the provider concerned a binding legal obligation~~***them*** to remove or disable access to ***that item or those items, for the provider's voluntary consideration. Such referrals should remain available in addition to removal orders.*** ~~the material in question within a set time period.~~
Recital 51				
G 62	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation.	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation.	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation.	(51) In order to provide clarity and ensure effective enforcement of this Regulation, a provider of relevant information society services should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union, the Member State where their appointed legal representative resides or is established should have jurisdiction, considering the function of legal representatives under this Regulation. G

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				Text Origin: Commission Proposal
Recital 52				
63	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating Authority in the territory of the Member State where the users reside or are established, irrespective of which Member State has jurisdiction in respect of the provider concerned. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating Authority in the territory of the Member State where the users reside or are established, irrespective of which Member State has jurisdiction in respect of the provider concerned. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating Authority in the territory of the Member State where the users reside or are established, irrespective of which Member State has jurisdiction in respect of the provider concerned. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the	(52) To ensure effective enforcement and the safeguarding of users' rights under this Regulation, it is appropriate to facilitate the lodging of complaints about alleged non-compliance with obligations of providers of relevant information society services under this Regulation. This should be done by allowing users to lodge such complaints with the Coordinating Authority in the territory of the Member State where the users ~~reside or are~~***are located or*** established. ***Where appropriate, the complaint should be transmitted by that Coordinating Authority to the Coordinating Authority***~~, irrespective of which Member State has jurisdiction in respect~~ of the provider***'s establishment for further examination*** ~~concerned~~. For the purpose of lodging of complaints, users can decide to rely on organisations acting in the public interest against child sexual abuse. However, in order not to endanger the aim of establishing a clear and effective system of oversight and to avoid the risk of inconsistent decisions, it should remain solely for

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	competence of other supervisory authorities within their mandate.	competence of other supervisory authorities within their mandate.	competence of other supervisory authorities within their mandate.	the Coordinating Authority of establishment to subsequently exercise any of its investigatory or enforcement powers regarding the conduct complained of, as appropriate, without prejudice to the competence of other supervisory authorities within their mandate. Presidency proposal (10/04) to ensure alignment with line 544 - TO BE DISCUSSED. Alignment with the DSA wording (see COM input on lines 542, 542a and 544) Text Origin: CY PCY - drafting
Recital 52a				
G 63a			***(52a) In order to safeguard the rights of users of relevant information society services, they should also have the right to mandate a relevant legal person or a public body to exercise their rights provided for in this Regulation.***	***(52a) In order to safeguard their rights under this Regulation, users of relevant information society services should also have the right to mandate a parent, guardian, legal representative, body, organisation or association to exercise these rights on their behalf. Users should also have the right to bring representative actions against infringements of this Regulation in accordance with Regulation (EU) 2018/1828.*** Text Origin: CY PCY - drafting G
Recital 53				
G 64	(53) Member States should ensure that for infringements of the	(53) Member States should ensure that for infringements of the	(53) Member States should ensure that for infringements of the	(53) Member States should ensure that for infringements of the G

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	obligations laid down in this Regulation there are penalties that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned.	obligations laid down in this Regulation there are penalties ***which can be of an administrative or criminal nature, as well as, where appropriate, fining guidelines,*** that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned. ***Particularly severe penalties should be imposed in the event that the provider of relevant information society services in the event that those service providers concerned systematically or persistently fail to comply with the obligations set out in this Regulation. Member States should ensure that those penalties do not encourage the over reporting or the removal of material which does not constitute child sexual abuse material.***	obligations laid down in this Regulation there are penalties that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned.	obligations laid down in this Regulation there are penalties that are effective, proportionate and dissuasive, taking into account elements such as the nature, gravity, recurrence and duration of the infringement, in view of the public interest pursued, the scope and kind of activities carried out, as well as the economic capacity of the provider of relevant information society services concerned. ***Proportionality of penalties should also entail that penalties do not encourage over-reporting or the removal of material that does not constitute child sexual abuse material.*** Text Origin: CY PCY - drafting
Recital 54				
G 65	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the data protection authorities under Regulation (EU) 2016/679.	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the data protection authorities under Regulation (EU) 2016/679.	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the data protection authorities under Regulation (EU) 2016/679.	(54) The rules of this Regulation on supervision and enforcement should not be understood as affecting the powers and competences of the ~~*data protection authorities*~~***supervisory bodies*** under Regulation (EU) G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				2016/679, ***Regulation (EU) 2022/2065 and Regulation (EU) 2024/1689***. Text Origin: CY PCY - drafting
Recital 55				
66	(55) It is essential for the proper functioning of the system of mandatory detection and blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the Coordinating Authorities, material identified as constituting child sexual abuse material or transcripts of conversations identified as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that material or conversations can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, either by the Coordinating Authorities themselves or by a court or another independent administrative authority than the Coordinating Authority. Whilst the swift assessment, identification and submission of such material is	(55) It is essential for the proper functioning of the system of mandatory detection and blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the Coordinating Authorities, material identified as constituting child sexual abuse material or transcripts of conversations identified as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that material or conversations can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, either by the Coordinating Authorities themselves or by a court or another independent administrative authority than the Coordinating Authority ***which must be subject to judicial validation***. Whilst the swift assessment,	(55) It is essential for the proper functioning of the system of ~~*mandatory detection and*~~ blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the ~~*Coordinating*~~ ***competent*** authorities, material identified as constituting child sexual abuse material or transcripts of conversations identified as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that material or conversations can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, ~~*either by the Coordinating*~~***subject to adequate oversight by judicial*** authorities ~~*themselves or by a court or another independent administrative authority than the Coordinating Authority*~~. Whilst the swift assessment,	(55) It is essential for the proper functioning of the system of ***[***mandatory detection and***]*** blocking of online child sexual abuse set up by this Regulation that the EU Centre receives, via the Coordinating authorities, ~~*material*~~***[or by competent authorities, where Member States decide to give them this task], specific items*** identified as constituting child sexual abuse material or ~~*transcripts of conversations identified*~~ as constituting the solicitation of children, such as may have been found for example during criminal investigations, so that that material ~~*or conversations*~~ can serve as an accurate and reliable basis for the EU Centre to generate indicators of such abuses. In order to achieve that result, the identification should be made after a diligent assessment, conducted in the context of a procedure that guarantees a fair and objective outcome, ~~*either by the Coordinating*~~***[by competent*** authorities ~~*themselves or by a court or another independent*~~

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	important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting.	identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting.	identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting.	~~*administrative authority than the Coordinating Authority*~~***, subject to adequate judicial oversight]***. Whilst the swift assessment, identification and submission of such material is important also in other contexts, it is crucial in connection to new child sexual abuse material and the solicitation of children reported under this Regulation, considering that this material can lead to the identification of ongoing or imminent abuse and the rescuing of victims. Therefore, specific time limits should be set in connection to such reporting. Written exchange (08.04.) - Provisionally agreed except bracketed part. Bracketed parts to be aligned with the provisional agreement on detection and Article 36(2)/(3) Text Origin: CY PCY - drafting
Recital 56				
67	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material and transcripts should be done proactively by the Coordinating Authorities. However, the EU Centre should also be allowed to bring	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material and transcripts should be done proactively by the Coordinating Authorities. However, the EU Centre should also be allowed to bring	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material ~~*and transcripts*~~ should be done proactively by the ~~*Coordinating*~~ ***competent*** authorities. However, the EU Centre should also be allowed to	(56) With a view to ensuring that the indicators generated by the EU Centre for the purpose of detection are as complete as possible, the submission of relevant material ~~*and transcripts*~~ should be done proactively by the Coordinating Authorities ***[or by competent authorities, where Member States***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	certain material or conversations to the attention of the Coordinating Authorities for those purposes.	certain material or conversations to the attention of the Coordinating Authorities for those purposes.	bring certain material ~~or conversations~~ to the attention of the ~~Coordinating~~ ***competent*** authorities for those purposes.	***decide to give them this task]***. However, the EU Centre should also be allowed to bring certain material or conversations to the attention of the ~~Coordinating~~***[Coordinating/competent]*** Authorities for those purposes. Written exchange (08.04.) - Provisionally agreed except bracketed part. Bracketed part in the first sentence pending agreement on line 565a; TBD: corresponding provision in the operative part. Text Origin: CY PCY - drafting
Recital 56a				
67a			***(56a) Member States should set up expedited procedures for the diligent assessment of suspected child sexual abuse, so as to allow for the swift submission to the EU Centre of the specific items of material, extracts of conversations and uniform resource locators concerned upon the reliable establishment of the illegality. With a view to facilitating and expediting such assessment, it should be possible for Member States to provide that competent authorities carry out the assessment of illegality of the content, under the oversight of the competent judicial authorities.***	*deleted*

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Recital 57				
68	*(57)* Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the Coordinating Authority designated by the Member State having jurisdiction takes account of the interests of all users in the Union when performing its tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that Coordinating Authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges of views with other public authorities where relevant for the performance of the tasks of those other authorities and of the Coordinating Authority.	(57) Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the Coordinating Authority designated by the Member State having jurisdiction takes account of the interests of all users in the Union when performing its tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that Coordinating Authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges of views with other public authorities where relevant for the performance of the tasks of those other authorities and of the Coordinating Authority.	(57) Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the Coordinating Authority designated by the Member State having jurisdiction takes account of the interests of all users in the Union when performing its tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that Coordinating Authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges of views with other public authorities where relevant for the performance of the tasks of those other authorities and of the Coordinating Authority.	(57) Certain providers of relevant information society services offer their services in several or even all Member States, whilst under this Regulation only a single Member State has jurisdiction in respect of a given provider. It is therefore imperative that the ~~*Coordinating Authority*~~***competent authorities*** designated by the Member State having jurisdiction ~~*takes*~~***take*** account of the interests of all users in the Union when performing ~~*its*~~***their*** tasks and using its powers, without making any distinction depending on elements such as the users' location or nationality, and that ~~*Coordinating*~~***competent*** authorities cooperate with each other in an effective and efficient manner. To facilitate such cooperation, the necessary mechanisms and information-sharing systems should be provided for. That cooperation shall be without prejudice to the possibility for Member States to provide for regular exchanges ~~*of views with other public*~~***between competent*** authorities ***as well as between competent authorities, the Commission, the EU Centre and other relevant Union agencies and bodies,*** where relevant for the performance of ~~*the*~~***their*** tasks ~~*of*~~

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				~~*those other authorities and of the Coordinating Authority*~~. Text Origin: CY PCY - drafting
Recital 57a				
68a			***(57a) "Joint investigations" under Article 38 should be interpreted as formal inquiries by Coordinating Authorities concerning the compliance of the provider of relevant information society services with the obligations arising from this Regulation. Insofar as the penalties for infringements of those obligations provided for by the Member State concerned pursuant to this Regulation are not criminal in nature, "joint investigations" under Article 38 should not be interpreted as criminal investigations, which are usually conducted by law enforcement authorities under national law.***	***(57a) References to joint investigations in this Regulation should be interpreted as formal inquiries by Coordinating Authorities concerning the compliance of the provider of relevant information society services with the obligations arising from this Regulation. Insofar as the penalties for infringements of those obligations provided for by the Member State concerned pursuant to this Regulation are not criminal in nature, these investigations should not be interpreted as criminal investigations, which are usually conducted by law enforcement authorities under national law.*** Text Origin: CY PCY - drafting
Recital 58				
69	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary information-sharing systems. When	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary ***secure*** information-sharing systems,	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary information-sharing systems. When	(58) In particular, in order to facilitate the cooperation needed for the proper functioning of the mechanisms set up by this Regulation, the EU Centre should establish and maintain the necessary ***reliable and secure*** information-

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	establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant.	***such as, once available, the software provided by eu-LISA pursuant to Regulation (EU) [1a]2023/969***. When establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant. ***1a. Regulation (EU) 2023/969 establishing a collaboration platform to support the functioning of joint investigation teams and amending Regulation (EU) 2018/1726***	establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant.	sharing systems. When establishing and maintaining such systems, the EU Centre should cooperate with the European Union Agency for Law Enforcement Cooperation ('Europol') and national authorities to build on existing systems and best practices, where relevant. Text Origin: CY PCY - drafting
Recital 59				
70	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, as well as a governance structure ensuring the effective, efficient and coherent performance of its different tasks, and legal personality to be able to interact effectively with all relevant stakeholders. Therefore, it should be established as a decentralised Union agency.	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, ~~as well as~~ a governance structure ensuring the effective, efficient and coherent performance of its different tasks, ~~and~~ legal personality to be able to interact effectively with all relevant stakeholders ***and an autonomous budget***. Therefore, it should be established as a decentralised Union	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, as well as a governance structure ensuring the effective, efficient and coherent performance of its different tasks, and legal personality to be able to interact effectively with all relevant stakeholders. Therefore, it should be established as a decentralised Union agency.	(59) To support the implementation of this Regulation and contribute to the achievement of its objectives, the EU Centre should serve as a central facilitator, carrying out a range of specific tasks. The performance of those tasks requires strong guarantees of independence, in particular from law enforcement authorities, ~~as well as~~ a governance structure ensuring the effective, efficient and coherent performance of its different tasks, ~~and~~ legal personality to be able to interact effectively with all relevant stakeholders***, and an autonomous budget***. Therefore, it should be established as a decentralised Union

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		agency, ***and provided with the necessary human and financial resources to fulfil the objectives, tasks and responsibilities assigned to it under this Regulation, including expenditure related to the making available of technologies and the costs related to the analysis of data samples undertaken for micro, small and medium enterprises. It should be mainly financed by a contribution from the general budget of the Union, with the necessary appropriations drawn exclusively from unallocated margins under the relevant heading of the Multiannual Financial Framework and/or through the mobilisation of the relevant special instruments. In order to ensure that the Agency can respond flexibly to human resource needs, it is in particular appropriate that it has autonomy regarding the recruitment of contract agents.***		agency, ***and provided with the requisite human and financial resources so that it can fulfil the objectives, tasks and responsibilities assigned to it under this Regulation. The contribution from the Union budget to the budget of the EU Centre is to be decided by the budgetary authority of the Union through the budgetary procedure. To that end, the EU Centre should submit to the Commission a statement of estimates. In addition to financial contributions from the Union budget and from charges for publications provided by the EU Centre, it should also be possible for Member States and, where so provided in the relevant working arrangement, for third countries to contribute to its funding.*** Text Origin: CY PCY - drafting
Recital 59a				
G 70a		***(59a) Taking into consideration the central role of the EU Centre in the implementation of the Regulation and in view of the date of expiry of the interim Regulation on 3 August 2024, the EU Centre activities should start as soon as possible. The Commission should allocate an adequate level of resources for the***		*deleted* G

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		quick establishment and initial operation of the EU Centre and provide commensurate assistance, including by seconding staff, to help the EU Centre reaching cruising speed in due time and no later than three years after the adoption of this Regulation.		
Recital 59b				
70b		***(59b) The arrangements concerning the seat of the EU Centre should be laid down in a headquarters agreement between the EU Centre and the host Member State. The headquarters agreement should stipulate the conditions of establishment of the seat and the advantages conferred by the Member State on the EU Centre and its staff. In line with point 9 of the Common Approach of 19 July 2012 on the location of the seats of decentralized agencies, the EU Centre should conclude a headquarters agreement with the host Member State in a timely manner before it starts its operational phase. In light of the case-law of the Court of Justice, the choice of the location of the seat should be made in accordance with the ordinary legislative procedure and should comply with the criteria laid down in this Regulation.***		Outside the scope of negotiations

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Recital 59c				
70c		***59(c) The selection procedure for the location of the seat of the EU Centre should respect the following steps: (i) Parliament's mandate for the interinstitutional negotiations would provide criteria for the selection of the host city; (ii) Parliament would negotiate those criteria with the Council; (iii) such criteria would constitute the basis for an inter-institutional call for applications made together by Parliament and Council; (iv) the candidates would be invited to joint hearings among Parliament and Council; (v) Parliament's negotiating team would draw a short-list of candidates; (vi) such short-list would be negotiated against the Council's short-list; (vii) before an agreement among co-legislators on the host city is reached; (viii) and before the plenary approves the outcome of the interinstitutional negotiations.***		Outside the scope of negotiations
Recital 60				
71	(60) In the interest of legal certainty and effectiveness, the tasks of the EU Centre should be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation of this Regulation, those tasks should relate in particular	(60) In the interest of legal certainty and effectiveness, the tasks of the EU Centre should be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation of this Regulation, those tasks should relate in particular	(60) In the interest of legal certainty and effectiveness, the tasks of the EU Centre should be listed in a clear and comprehensive manner. With a view to ensuring the proper implementation of this Regulation, those tasks should relate in particular	To avoid repetitions in the following recitals, this recital should be revisited following agreement on Art. 43. EP/CNS additions related to the knowledge hub function have been included in line 78. If agreed, the EP addition related to proactive searches could be covered in

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	to the facilitation of the detection, reporting and blocking obligations imposed on providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services. However, for that same reason, the EU Centre should also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to Coordinating Authorities, as well as the generation and sharing of knowledge and expertise related to online child sexual abuse.	to the facilitation of the detection, reporting and blocking obligations imposed on providers of hosting services, providers of publicly available ***number-independent*** interpersonal communications services and providers of internet access services. ~~*However, for that same reason,*~~ The EU Centre should also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to Coordinating Authorities, as well as ***proactively and on its own initiative conduct searches on publicly accessible content on hosting services for known child sexual abuse material. The EU Centre should facilitate*** the generation and sharing of knowledge***, best practices*** and expertise related to online child sexual abuse***, supporting the development of awareness-raising and prevention campaigns, educational and intervention programs, tools and materials in order to increase digital skills, while integrating a child rights perspective and ensuring a gender-***	to the facilitation of the ~~*detection,*~~ reporting and blocking obligations imposed on providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services. However, for that same reason, the EU Centre should also be charged with certain other tasks, notably those relating to the implementation of the risk assessment and mitigation obligations of providers of relevant information society services, the removal of or disabling of access to child sexual abuse material by providers of hosting services, the provision of assistance to ~~*Coordinating*~~ ***competent*** authorities, as well as the generation and sharing of knowledge and expertise related to online child sexual abuse***, including on prevention***. ***The EU Centre should, in accordance with its tasks under this Regulation, also assess the initiatives related to preventing and combating online child sexual abuse to determine whether they can be considered as best practices, using standardised assessment tools where possible, and make available these best practices, including through a dedicated database, to support the knowledge hub function of the EU Centre and prevent duplication of***	line 77.

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		sensitive and age-appropriate approach. The EU Centre should promote and ensure the appropriate support and assistance to victims.	***efforts and initiatives, promoting efficiency and collaboration among stakeholders.***	
Recital 60a				
71a			***(60a) In order to facilitate the implementation of this Regulation, the coordination of efforts in preventing and combatting child sexual abuse is essential. Therefore, Member States should develop national strategies, to the extent possible in consultation with organisations acting in the public interest against child sexual abuse. These national strategies should be communicated to the EU Centre and the Commission. The EU Centre should assess the national strategies to promote the sharing of best practices.***	***(60a) In order to facilitate the implementation of this Regulation, the coordination of efforts in preventing and combatting child sexual abuse is essential. Therefore, Member States should develop national strategies, to the extent possible in consultation with organisations acting in the public interest against child sexual abuse. These national strategies should be communicated to the EU Centre and the Commission. The EU Centre should assess the national strategies to promote the sharing of best practices.*** Text Origin: Council Mandate
Recital 61				
72	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child sexual abuse, so as to enable the detection and blocking thereof in accordance with this Regulation. Given the nature of child sexual abuse material, that reliable information needs to be provided	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child sexual abuse, so as to enable the detection and blocking thereof in accordance with this Regulation. Given the nature of child sexual abuse material, that reliable information needs to be provided	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child sexual abuse, so as to enable the ~~*detection and*~~ blocking thereof in accordance with this Regulation ***and the voluntary activities of providers of number-independent communications services under***	(61) The EU Centre should provide reliable information on which activities can reasonably be considered to constitute online child sexual abuse, so as to enable the ***[***detection and***]*** blocking thereof in accordance with this Regulation ***[and the voluntary activities of providers of number-independent communications services under***

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	without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable indicators, based on identified child sexual abuse material and solicitation of children submitted to it by Coordinating Authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of either the same material (known material) or of different child sexual abuse material (new material), or the solicitation of children, as applicable.	without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable ***hashes and*** indicators, based on identified child sexual abuse material and solicitation of children submitted to it by Coordinating Authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of either the same material (known material) or of different child sexual abuse material (new material), or the solicitation of children, as applicable.	***Regulation (EU) 2021/1232***. Given the nature of child sexual abuse material, that reliable information needs to be provided without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable indicators, based on identified child sexual abuse material and solicitation of children submitted to it by ~~*Coordinating*~~***competent*** authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of ~~*either the same material (*~~known ~~*material) or of different*~~ ***or new*** child sexual abuse material ~~*(new material)*~~, or the solicitation of children, as applicable.	***Regulation (EU) 2021/1232]***. Given the nature of child sexual abuse material, that reliable information needs to be provided without sharing the material itself. Therefore, the EU Centre should generate accurate and reliable indicators, based on identified child sexual abuse material and solicitation of children submitted to it by Coordinating authorities in accordance with the relevant provisions of this Regulation. These indicators should allow technologies to detect the dissemination of ~~*either the same material (*~~known ~~*material) or of different*~~***or new*** child sexual abuse material ~~*(new material)*~~, or the solicitation of children, as applicable. Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Recital 62				
73	(62) For the system established by this Regulation to function properly, the EU Centre should be charged with creating databases for each of those three types of online child sexual abuse, and with maintaining and operating those databases. For accountability purposes and to allow for corrections where needed, it	(62) For the system established by this Regulation to function properly, the EU Centre should be charged with creating databases for ~~*each of those three types of online*~~***known child sexual abuse material, new*** child sexual abuse~~*,*~~ ***material and solicitation of children*** and with maintaining***, timely updating*** and	(62) For the system established by this Regulation to function properly, the EU Centre should be charged with creating databases for each of those three types of online child sexual abuse, and with maintaining and operating those databases. For accountability purposes and to allow for corrections where needed, it	(62) For the system established by this Regulation to function properly, the EU Centre should be charged with creating databases for ~~*each of those three types of online*~~***known child sexual abuse material, new*** child sexual abuse~~*, and*~~ ***material and solicitation of children,*** with maintaining and operating those

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	should keep records of the submissions and the process used for the generation of the indicators.	operating those databases. For accountability purposes and to allow for corrections where needed, it should keep records of the submissions and the process used for the generation of the indicators.	should keep records of the submissions and the process used for the generation of the indicators.	databases***, and with keeping them updated***. For accountability purposes and to allow for corrections where needed, it should keep records of the submissions and the process used for the generation of the indicators. Text Origin: CY PCY - drafting
Recital 63				
74	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims.	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims.	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims.	(63) For the purpose of ensuring the traceability of the reporting process and of any follow-up activity undertaken based on reporting, as well as of allowing for the provision of feedback on reporting to providers of hosting services and providers of publicly available ***number-independent*** interpersonal communications services, generating statistics concerning reports and the reliable and swift management and processing of reports, the EU Centre should create a dedicated database of such reports. To be able to fulfil the above purposes, that database should also contain relevant information relating to those reports, such as the indicators representing the material and ancillary tags, which can indicate, for example, the fact that a reported image or video is part of a series of images and videos depicting the same victim or victims. Trilogue (11.05.): Provisionally agreed.

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				Text Origin: CY PCY - drafting
Recital 64				
75	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes.	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only ***upon request*** to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes.	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes.	(64) Given the sensitivity of the data concerned and with a view to avoiding any errors and possible misuse, it is necessary to lay down strict rules on the access to those databases of indicators and databases of reports, on the data contained therein and on their security. In particular, the data concerned should ***be shared through a reliable and secure information sharing system and should*** not be stored for longer than is strictly necessary. For the above reasons, access to the database of indicators should be given only ***upon request*** to the parties and for the purposes specified in this Regulation, subject to the controls by the EU Centre, and be limited in time and in scope to what is strictly necessary for those purposes. Text Origin: CY PCY - drafting
Recital 64a				
75a			***(64a) Considering its role as central knowledge hub on matters related to the implementation of this Regulation at EU level, the EU Centre should, in accordance with this Regulation, leverage all means at its disposal to facilitate the work***	*deleted*

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			of Europol and competent law enforcement authorities, for example by ensuring that information received by law enforcement authorities is relevant, complete and as easy as possible to access and consult. In particular, the EU Centre should give Europol and the competent law enforcement authorities of the Member States access to the database of indicators when necessary for the purpose of their tasks of investigating suspected child sexual abuse offences.	
Recital 65				
76	*(65)* In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. The EU Centre should assess those reports in order to identify those that are manifestly unfounded, that is, where it is immediately evident, without any substantive legal or factual analysis, that the reported activities do not constitute online child sexual abuse. Where the report is manifestly unfounded, the EU Centre should provide feedback to the reporting provider of hosting services or provider of publicly available	(65) In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre~~. The EU Centre~~ ***and those report*** should ~~*assess those reports in order to identify those that are manifestly*~~***be thoroughly assessed in a timely manner to ensure that a decision on the criminal relevance of the reported material is made as early as possible and to limit the retention of irrelevant data as far as possible. Report should be considered*** unfounded~~, that is~~, where it is ~~*immediately*~~ evident~~, without any~~	(65) In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. The EU Centre should assess those reports in order to identify those that are manifestly unfounded, that is, where it is immediately evident, without any substantive legal or factual analysis, that the reported activities do not constitute online child sexual abuse. Where the report is manifestly unfounded, the EU Centre should provide feedback to the reporting provider of hosting services or provider of publicly available	(65) In order to avoid erroneous reporting of online child sexual abuse under this Regulation and to allow law enforcement authorities to focus on their core investigatory tasks, reports should pass through the EU Centre. The EU Centre should assess those reports in order to identify those that are manifestly unfounded, that is, where it is immediately evident, without any substantive legal or factual analysis, that the reported activities do not constitute online child sexual abuse. Where the report is manifestly unfounded, the EU Centre should provide feedback to the reporting provider ~~*of hosting services or provider of publicly available*~~

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	interpersonal communications services in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. As every report could be an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim of the abuse, reports should be processed as quickly as possible.	~~*substantive legal or factual analysis*~~, that the reported activities do not constitute online child sexual abuse. ~~*Where the report is manifestly unfounded.*~~ ***In those cases*** the EU Centre should provide feedback to the reporting provider of hosting services or provider of publicly available ***number-independent*** interpersonal communications services in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. ***Where the EU Centre considers that a report is not unfounded, it should forward the report to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates or to Europol in those cases where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty. Even in cases where the competent national law enforcement authority has been identified, the EU Centre should forward all not unfounded reports to Europol in accordance with the Union law. As what constitutes an actionable report***	interpersonal communications services in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. As every report could be an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim of the abuse, reports should be processed as quickly as possible.	~~*interpersonal communications services*~~ in order to allow for improvements in the technologies and processes used and for other appropriate steps, such as reinstating material wrongly removed. ***Where the EU Centre considers a report not to be manifestly unfounded, it should forward it together with any additional relevant information to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction and to Europol. Where the EU Centre cannot determine the competent law enforcement authority or authorities with sufficient certainty, it should forward the report to Europol for further analysis and subsequent referral.*** As every report could be an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim ***or victims*** of the abuse, reports should be processed as quickly as possible. Text Origin: CY PCY - drafting

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		may differ from one Member State to another, due to differing national legislations, ~~*As*~~ every report could ~~*be*~~***serve as*** an important means to investigate and prosecute the child sexual abuse offences concerned and to rescue the victim of the abuse~~*, reports should be processed as quickly as possible*~~.		
Recital 65a				
G 76a				***(65a) Where the diligent assessment carried out by the competent authorities indicates that the material contained in a report does not constitute child sexual abuse material or the solicitation of children, it is no longer necessary to process the personal data and other data contained therein for the purposes of this Regulation.*** G
Recital 66				
77	(66) With a view to contributing to the effective application of this Regulation and the protection of victims' rights, the EU Centre should be able, upon request, to support victims and to assist Competent Authorities by conducting searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding indicators. Where it identifies such material after having	(66) With a view to contributing to the effective application of this Regulation and the protection of victims' rights, the EU Centre should be able, upon request, to support victims and to assist Competent Authorities by conducting searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding indicators. Where it identifies such material after having	(66) With a view to contributing to the effective application of this Regulation and the protection of victims' rights, the EU Centre should be able, upon request, to support victims and to assist competent authorities by conducting searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding indicators. Where it identifies such material after having conducted such	(66) With a view to contributing to the effective application of this Regulation and the protection of ~~*victims'*~~***the*** rights ***of depicted persons who are subject to child sexual abuse***, the EU Centre should be able, upon request, to support ~~*victims*~~***these persons*** and to assist competent authorities by conducting searches of hosting services for the dissemination of known child sexual abuse material that is publicly accessible, using the corresponding

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	conducted such a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis.	conducted such a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, ***as soon as possible,*** given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis. ***The EU Centre should be able to proactively, on its own initiative, analyse publicly accessible content for known child sexual abuse and to follow publicly accessible uniform resource locators.***	a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis.	indicators. Where it identifies such material after having conducted such a search, the EU Centre should also be able to request the provider of the hosting service concerned to remove or disable access to the item or items in question, given that the provider may not be aware of their presence and may be willing to do so on a voluntary basis. ***[The EU Centre should be able to conduct proactive searches of publicly accessible content for known child sexual abuse and to follow publicly accessible uniform resource locators.]*** Written exchange (08.04.) - Provisionally agreed except bracketed part. Bracketed part is linked to discussion on detection and agreement on lines 684a and 684b Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Recital 67				
78	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of	(67) Given its central position resulting from the performance of its primary tasks under this Regulation and the information and expertise it can gather in connection thereto, the EU Centre should also contribute to the achievement of the objectives of

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	this Regulation by serving as a hub for knowledge, expertise and research on matters related to the prevention and combating of online child sexual abuse. In this connection, the EU Centre should cooperate with relevant stakeholders from both within and outside the Union and allow Member States to benefit from the knowledge and expertise gathered, including best practices and lessons learned.	this Regulation by serving as a hub for knowledge***, for best practices***, expertise and research on matters related to the prevention and combating of online child sexual abuse. In this connection, the EU Centre should cooperate with relevant stakeholders from both within and outside the Union and allow Member States to benefit from the knowledge and expertise gathered, including best practices and lessons learned. ***Where the EU Centre makes technologies available for providers of hosting services and providers of number-independent communication services to install and operate in order to execute detection orders, it should also make publicly available relevant information, such as the detailed licensing conditions, including licensing fees, under which the EU Centre is permitted, or has obtained permission to make such technologies available. Such information should cover all details regarding the procurement of such technologies, as well as their development over time, where relevant.***	this Regulation by serving as a hub for knowledge, expertise and research on matters related to the prevention and combating of online child sexual abuse. In this connection, the EU Centre should cooperate with relevant stakeholders from both within and outside the Union and allow Member States to benefit from the knowledge and expertise gathered, including best practices and lessons learned.	this Regulation by serving as a hub for knowledge, expertise***, best practice*** and research on matters related to the prevention and combating of online child sexual abuse. ~~*In this connection*~~***To this end***, the EU Centre ***should conduct and support research, surveys and studies related to preventing and combating child sexual abuse, including on prevention, as well as collect, record, aggregate and analyse information about existing initiatives, with a view to determining best practices. In doing so, it*** should cooperate with relevant stakeholders from both within and outside the Union***, including civil society organisations, hotlines and helplines, public authorities as well as relevant information society services, to avoid duplication of efforts and promote efficiency and collaboration among stakeholders. In addition, the EU Centre should*** ~~*and*~~ allow Member States ***and the wider public*** to benefit from the knowledge and expertise gathered, including best practices and lessons learned. ***To this end, the EU Centre should make collected information publicly available in a dedicated database, unless this would undermine the proper functioning or the objectives of this Regulation, and provide it to other EU***

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				institutions, bodies, offices and agencies or public authorities of the Member States upon their request. To promote and raise public awareness of measures to prevent and combat child sexual abuse, the EU Centre should also develop a communication strategy and promote dialogue and cooperation with relevant stakeholders, including civil society organisations, hotlines and helplines, public authorities as well as relevant information society services. [Where the EU Centre makes available technologies for providers of hosting services and providers of number-independent communication services to install and operate in order to [execute detection orders/mitigate the risk of disseminating child sexual abuse material] [, it should also make publicly available relevant information, such as the detailed licensing conditions, including licensing fees, under which the EU Centre is permitted, or has obtained permission to make such technologies available. Such information should cover all details regarding the procurement of such technologies, as well as their development over time, where relevant.]

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				Written exchange (08.04.) - Provisionally agreed except bracketed part. Aligned with prov. agreed wording in lines 697/698; bracketed parts are pending provisional agreement on the scope and on line 689 Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Recital 68				
G 79	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a secure manner and limit storage to what is strictly necessary for the performance of the relevant tasks.	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a secure ***and supervised*** manner and limit storage to what is strictly necessary for the performance of the relevant tasks~~.~~	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a secure manner and limit storage to what is strictly necessary for the performance of the relevant tasks.	(68) Processing and storing certain personal data is necessary for the performance of the EU Centre's tasks under this Regulation. In order to ensure that such personal data is adequately protected, the EU Centre should only process and store personal data if strictly necessary for the purposes detailed in this Regulation. It should do so in a secure manner and limit storage to what is strictly necessary for the performance of the relevant tasks. Text Origin: Council Mandate
Recital 69				
G 80	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with Coordinating Authorities, the Europol and relevant partner organisations, such as the US	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with Coordinating Authorities, the Europol and relevant partner organisations, such as the US	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with ***the competent authorities including the*** Coordinating Authorities,~~ the~~	(69) In order to allow for the effective and efficient performance of its tasks, the EU Centre should closely cooperate with Coordinating Authorities ***and with other competent authorities, with***~~, the~~

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	National Centre for Missing and Exploited Children or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations.	National Centre for Missing and Exploited Children or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of ***publicly accessible*** memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations.	Europol and relevant partner organisations, such as the US National Centre for Missing and Exploited Children, ***the European Crime Prevention Network ('EUCPN')*** or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations.	Europol and relevant partner organisations, such as the US National Centre for Missing and Exploited Children, ***the European Crime Prevention Network ('EUCPN')*** or the International Association of Internet Hotlines ('INHOPE') network of hotlines for reporting child sexual abuse material, within the limits sets by this Regulation and other legal instruments regulating their respective activities. To facilitate such cooperation, the necessary arrangements should be made, including the designation of contact officers by Coordinating Authorities and the conclusion of memoranda of understanding with Europol and, where appropriate, with one or more of the relevant partner organisations, ***which should be publicly available, unless this publication would undermine the proper functioning or the objectives of this Regulation***. Text Origin: CY PCY - drafting
Recital 70				
G 81	(70) Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse. The EU Centre should leverage the network of hotlines and encourage that they	(70) ***Hotlines play a very important role in the fight against child sexual abuse online, namely with regard to the reporting, detection and rapid removal of child sexual abuse material. Helplines are also essential in providing support for***	(70) Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse. The EU Centre should leverage the network of hotlines and encourage that they	(70) Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse, ***namely with regard to the reporting, detection and rapid removal of*** G

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	work together effectively with the Coordinating Authorities, providers of relevant information society services and law enforcement authorities of the Member States. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union.	***children in need.*** Longstanding Union support for both INHOPE and its member hotlines recognises that hotlines are in the frontline in the fight against online child sexual abuse. The EU Centre should leverage the network of hotlines and encourage that they ~~*work together*~~***cooperate and coordinate*** effectively with the Coordinating Authorities, providers of relevant information society services and law enforcement authorities of the Member States. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union.	work together effectively with the ~~*Coordinating*~~ ***competent*** authorities, providers of relevant information society services and law enforcement authorities of the Member States. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union.	***child sexual abuse material. Helplines are also essential in providing support for children in need***. The EU Centre should leverage the network of hotlines and ***helplines by setting up and operating an online European Child Protection Platform, which provides easy access to information on hotlines and helplines in the Member States without duplicating existing structures such as INHOPE, and*** encourage that they ~~*work together*~~***cooperate and coordinate*** effectively with the ~~*Coordinating*~~***competent*** authorities~~,~~ ***of the Member States and*** providers of relevant information society services ~~*and law enforcement authorities of the Member States*~~. The hotlines' expertise and experience is an invaluable source of information on the early identification of common threats and solutions, as well as on regional and national differences across the Union. Text Origin: CY PCY - drafting
Recital 71				
82	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence	(71) Considering Europol's mandate and its experience in identifying competent national authorities in unclear situation and its database of criminal intelligence

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	which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected.	which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected.	which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected.	which can contribute to identifying links to investigations in other Member States, the EU Centre should cooperate closely with it, especially in order to ensure the swift identification of competent national law enforcement authorities in cases where that is not clear or where more than one Member State may be affected. ***the EU Centre and Europol should cooperate closely, within the limits and in full respect of their respective, distinct tasks and responsibilities in accordance with this Regulation and Regulation (EU) 2016/794. In particular, where necessary for the performance of their respective tasks and in accordance with the relevant Union law, they should provide each other access to relevant information and [information systems/ databases], subject to the submission of an explicit, justified request where the access concerns personal data. To avoid unnecessary delays and administrative burden, access requests should be standardised, for example by means of electronic templates.*** ***Given its central role in the implementation of this Regulation at EU level, the EU Centre should leverage all means at its disposal in accordance with this Regulation to***

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				facilitate the work of both Europol and competent law enforcement authorities, for example by creating, maintaining and operating databases for indicators and reports and by ensuring that information contained therein is complete, accurate, up-to-date and possible to access and consult, subject to the conditions provided for in this Regulation. In particular, the EU Centre should give Europol and the competent law enforcement authorities of the Member States access to the database of indicators to the extent necessary for the performance of their tasks of investigating child sexual abuse offences. Text Origin: CY PCY - drafting
Recital 71a				
G 82a			***(71a) Europol and the EU Centre should cooperate closely when performing their respective, distinct tasks and responsibilities in accordance with this Regulation and Regulation (EU) 2016/794.[1] This Regulation should not be understood as altering in any way Regulation (EU) 2016/794 and Europol's tasks and responsibilities under that Regulation. For example, in relation to the processing of reports from service***	*deleted*

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			providers, the EU Centre should, subject to the filtering provided for in this Regulation, forward those reports to Europol and to the competent national law enforcement authority or authorities, together with the additional relevant information, including for victim identification purposes, as prescribed by this Regulation, whereas Europol could continue to assist national law enforcement in criminal investigations concerning such reports in accordance with its mandate. Also, in relation to the storage of reports, the EU Centre should perform the tasks specified in this Regulation, in particular create, maintain and operate a database for those purposes, whereas Europol could, in accordance with its mandate, continue to expand with the reports received from the EU Centre its own databases of criminal intelligence shared with national authorities, notably for criminal investigation purposes.	

1. Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA,

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			2009/936/JHA and 2009/968/JHA.	
Recital 72				
83	*(72)* Considering the need for the EU Centre to cooperate intensively with Europol, the EU Centre's headquarters should be located alongside Europol's, which is located in The Hague, the Netherlands. The highly sensitive nature of the reports shared with Europol by the EU Centre and the technical requirements, such as on secure data connections, both benefit from a shared location between the EU Centre and Europol. It would also allow the EU Centre, while being an independent entity, to rely on the support services of Europol, notably those regarding human resources management, information technology (IT), including cybersecurity, the building and communications. Sharing such support services is more cost-efficient and ensure a more professional service than duplicating them by creating them anew.	*deleted*	~~*(72) Considering the need for the EU Centre to cooperate intensively with Europol, the EU Centre's headquarters should be located alongside Europol's, which is located in The Hague, the Netherlands. The highly sensitive nature of the reports shared with Europol by the EU Centre and the technical requirements, such as on secure data connections, both benefit from a shared location between the EU Centre and Europol. It would also allow the EU Centre, while being an independent entity, to rely on the support services of Europol, notably those regarding human resources management, information technology (IT), including cybersecurity, the building and communications. Sharing such support services is more cost-efficient and ensure a more professional service than duplicating them by creating them anew.*~~	*deleted*
Recital 72a				
83a				***(72a) Since the evolution of the digital world has made online child sexual abuse a global crime, cooperation of the EU Centre with competent authorities of third countries and international***

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				organisations may be necessary to achieve the objectives of this Regulation. Such cooperation should, however, remain strictly confined to the objectives and tasks assigned to the EU Centre under this Regulation and be regulated by working arrangements that are subject to prior approval by the Commission. In particular, this Regulation does not establish a framework for operational cooperation in criminal matters or law enforcement activities.
Recital 73				
G 84	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European Parliament, the Council and the Commission on decentralised agencies.	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European Parliament, the Council and the Commission on decentralised agencies.	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European Parliament, the Council and the Commission on decentralised agencies.	(73) To ensure its proper functioning, the necessary rules should be laid down regarding the EU Centre's organisation. In the interest of consistency, those rules should be in line with the Common Approach of the European Parliament, the Council and the Commission on decentralised agencies. G Text Origin: Commission Proposal
Recital 74				
85	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for	(74) In view of the need for technical expertise in order to perform its tasks, in particular the task of providing a list of technologies that can be used for	Pending agreement on the Technology Committee.

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	detection, the EU Centre should have a Technology Committee composed of experts with advisory function. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards and safeguards in detection technology.	detection, the EU Centre should have a Technology Committee composed of experts with advisory function. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection ***and prevention*** of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards***, data protection*** and safeguards in detection technology.	detection, the EU Centre should have a Technology Committee composed of experts with advisory function. The Technology Committee may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to detection of online child sexual abuse, to support the EU Centre in contributing to a high level of technical standards and safeguards in detection technology.	
Recital 74a				
G 85a			***(74a) In view of the need for assistance to victims' expertise in order to perform its tasks, the EU Centre should have a Victims Board, composed of adult victims of child sexual abuse and persons with relevant expertise, with an advisory function. The Victims Board may, in particular, provide expertise to support the work of the EU Centre, within the scope of its mandate, with respect to matters related to the tasks of providing information to victims, and assistance and support for removal, via the Coordinating Authorities.***	***(74a) In view of the need for expertise and independent advice in relation to matters related to victims of child sexual abuse in order to perform its tasks, the EU Centre should establish a Victims Consultative Forum, composed of adults who were victims of child sexual abuse, experts in providing assistance or support to such victims, and representatives of civil society organisations acting in the public interest against child sexual abuse and defending the rights of victims of child sexual abuse, with an advisory function. The Victims Consultative Forum should, in particular, represent the interests of victims and survivors in connection*** G

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				to the work of the EU Centre and provide expertise to its governing bodies. Text Origin: CY PCY - drafting
Recital 74b				
G 85b		***(74a) One of the pillars of this Regulation is the assistance and support of victims and survivors of child sexual abuse. In order to better understand and address victims' individual needs is essential to create a forum where victims' organizations are heard and the EU Center can learn from their experience, expertise and knowledge. The Victims' Rights and Survivors Consultative Forum should play a key role in advising the EU Center in its approach to all victim-related issues. Its member should be appointed mainly among victims or their parents, guardians or legal representatives, as well as from representatives of organisations acting in the public interest against child sexual abuse and promoting victims' and survivors' rights, but could also include members from other organisations such as organisations promoting rights of children belonging to vulnerable groups, organisations promoting children's rights which includes children's***		*deleted*

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		digital rights.		
Recital 75				
86	*(75)* In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services, Coordinating Authorities and the EU Centre should be required to collect, record and analyse information, based on anonymised gathering of non-personal data and to publish annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information.	(75) In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available ***number independent*** interpersonal communications services and providers of internet access services, Coordinating Authorities and the EU Centre should be required to collect, record and analyse ***gender- and age-disaggregated data and*** information, based on anonymised gathering of non-personal data and to publish ***in a machine-readable format*** annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information.	(75) In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available interpersonal communications services and providers of internet access services, Coordinating Authorities and the EU Centre should be required to collect, record and analyse information, based on anonymised gathering of non-personal data and to publish annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information.	(75) In the interest of transparency and accountability and to enable evaluation and, where necessary, adjustments, providers of hosting services, providers of publicly available ***number-independent*** interpersonal communications services and providers of internet access services, Coordinating Authorities and the EU Centre should be required to collect, record ~~*and*~~***aggregate,*** analyse ***and make available*** information, based on ~~*anonymised*~~ gathering of non-personal data and to publish ***in a machine-readable format*** annual reports on their activities under this Regulation. The Coordinating Authorities should cooperate with Europol and with law enforcement authorities and other relevant national authorities of the Member State that designated the Coordinating Authority in question in gathering that information. Trilogue (11.05.): Provisionally agreed. Text Origin: CY PCY - drafting
Recital 76				
87	(76) In the interest of good governance and drawing on the	(76) In the interest of good governance and drawing on the	(76) In the interest of good governance and drawing on the	(76) In the interest of good governance and drawing on the

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	statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter.	statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter.	statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter.	statistics and information gathered and transparency reporting mechanisms provided for in this Regulation, the Commission should carry out an evaluation of this Regulation within five years of the date of its entry into force, and every five years thereafter. Text Origin: Commission Proposal
Recital 77				
88	(77) The evaluation should be based on the criteria of efficiency, necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the detection, reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties.	(77) The evaluation should be based on the criteria of efficiency, necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the detection, reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties.	(77) The evaluation should be based on the criteria of efficiency, necessity, effectiveness, proportionality, relevance, coherence and Union added value. It should assess the functioning of the different operational and technical measures provided for by this Regulation, including the effectiveness of measures to enhance the ~~*detection,*~~ reporting and removal of online child sexual abuse, the effectiveness of safeguard mechanisms as well as the impacts on potentially affected fundamental rights, the freedom to conduct a business, the right to private life and the protection of personal data. The Commission should also assess the impact on potentially affected interests of third parties.	
Recital 77a				

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88a			***(77a) With a view to considering the inclusion of detection obligations in the scope of the provisions of this Regulation in a possible future legislative proposal, the Commission should carry out an evidence-based assessment of the reliability and accuracy of the relevant available detection technologies, taking into account legal and policy implications, within three years of the date of the entry into force of this Regulation, and if necessary every three years thereafter.***	
Recital 78				
89	(78) Regulation (EU) 2021/1232 of the European Parliament and of the Council[1] provides for a temporary solution in respect of the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse, pending the preparation and adoption of a long-term legal framework. This Regulation provides that long-term legal framework. Regulation (EU) 2021/1232 should therefore be repealed. 1. Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from	(78) Regulation (EU) 2021/1232 of the European Parliament and of the Council[1] provides for a temporary solution in respect of the ***voluntary*** use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse. ***This Regulation, which provides for a clear and uniform*** ~~*, pending the preparation and adoption of a*~~ long-term legal framework ***and establishes a mandatory regime for certain providers, should substitute the temporary and voluntary one***. ***However, until the date of effective application of*** this Regulation ~~*provides that long-term legal*~~	(78) Regulation (EU) 2021/1232 of the European Parliament and of the Council[1] ***amended by Regulation (EU) 2024/1307 of the European Parliament and of the Council[2]*** provides for a ~~*temporary*~~ solution in respect of the use of technologies by certain providers of publicly available interpersonal communications services for the purpose of combating online child sexual abuse~~*, pending the preparation and adoption of a long-term legal framework. This Regulation provides that long-term legal framework*~~. ***It is important that child sexual abuse online can be effectively and lawfully combated without interruptions***. ***Therefore,***	

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	certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41).	~~*framework.*~~***and in order to secure that online child sexual abuse online can be effectively and lawfully combated without interruptions and that there is a smooth transition between the voluntary and the mandatory regime,*** Regulation (EU) 2021/1232 ~~*should therefore be repealed*~~***shall apply for a limited period of 9 months after the entry into force of this Regulation***. _____ 1. Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41).	***the necessary amendment should be made to*** Regulation (EU) 2021/1232 ~~*should therefore be repealed*~~***, thus ensuring that the derogation from certain provisions of Directive 2002/58/EC can continue, in compliance with that Regulation and other applicable law.***. _____ 1. Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41). ***2. Regulation (EU) 2024/1307 of the European Parliament and of the Council of 29 April 2024 amending Regulation (EU) 2021/1232 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L, 2024/1307, 14.5.2024).***	
Recital 78a				
89a			***(78a) The rules of this Regulation should apply as soon as possible. However, account should be taken of the need for all parties involved, and in particular the EU Centre, to take the necessary preparatory measures. Therefore, the relevant***	

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			provisions of this Regulation should only start to apply after certain appropriate periods. During this transition period, general rules that refer to several measures, some of which have not entered into application yet, should be understood as not being applicable to the measures that have not entered into application yet. Thus, for example, during that period, it should be possible to issue a blocking order in accordance with this Regulation, subject to the order in such a case having to be executed without making use of the database of indicators provided by the EU Centre, which would still be under preparation during such transition period.	
Recital 79				
90	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the	(79) In order to achieve the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to this Regulation and to supplement it by laying down detailed rules concerning the setting up, content and access to the databases operated by the EU Centre, concerning the form, precise content and other details of the reports and the reporting process, concerning the

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	determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	determination and charging of the costs incurred by the EU Centre to support providers in the risk assessment, as well as concerning technical requirements for the information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services. Text Origin: Commission Proposal
Recital 80				
91	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. 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 the Commission expert	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. 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 the Commission expert	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. 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 the Commission expert	(80) It is important that the Commission carry out appropriate consultations during its preparatory work for delegated acts, including via open public consultation and at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law Making[1]. 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 the Commission expert

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	groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1).	groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1).	groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1).	groups dealing with the preparation of delegated acts. 1. Inter-institutional Agreement of 13 April 2016 on Better Law Making (OJ L 123, 12.5.2016, p. 1). Text Origin: Commission Proposal
Recital 81				
92	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the 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).	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the 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).	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the 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).	(81) In order to ensure uniform conditions for the implementation of the information-sharing system, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the 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: Commission Proposal
Recital 82				
93	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation, provision should be made for an appropriate time period between the date of its entry into	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation***, and in particular the establishment of the EU Centre***, provision should be made for an	(82) In order to allow all affected parties sufficient time to take the necessary measures to comply with this Regulation, provision should be made for an appropriate time period between the date of its entry into	

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	force and that of its application.	appropriate time period between the date of its entry into force and that of its application.	force and that of its application.	
Recital 83				
94	(83) Since the objectives of this Regulation, namely contributing to the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(83) Since the objectives of this Regulation, namely contributing to the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(83) Since the objectives of this Regulation, namely contributing to the proper functioning of the internal market by setting out clear, uniform and balanced rules to prevent and combat child sexual abuse in a manner that is effective and that respects the fundamental rights, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve ~~*that objective*~~ ***those objectives***.	
Recital 84				
95	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their opinion	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their ***joint***	(84) The European Data Protection Supervisor and the European Data Protection Board were consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered their opinion	

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	on […]. 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).	opinion on ~~[…]~~ ***28 July 2022***. 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).	on ~~[…]~~ ***28 July 2022***. 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).	
Formula				
G 96	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION: Text Origin: Commission Proposal
CHAPTER I				
G 97	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS Text Origin: Commission Proposal
Article 1				
G 98	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope Text Origin: Commission Proposal
Article 1(1), first subparagraph				
G 99	1.This Regulation lays down uniform rules to address the misuse of relevant information society services for online child sexual	1.This Regulation lays down uniform rules to address the misuse of relevant information society services for online child sexual	1.This Regulation lays down uniform rules to ~~*address the misuse*~~***prevent and combat in a targeted, carefully balanced and***	1.This Regulation lays down uniform rules to ~~*address*~~***prevent and combat in a targeted, carefully balanced and proportionate manner***

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	abuse in the internal market.	abuse***, in order to contribute to the proper functioning of*** ~~in~~ the internal market~~.~~ ***and to create a safe, predictable and trusted online environment that facilitates innovation and in which fundamental rights enshrined in the Charter are effectively protected;***	***proportionate manner the use*** of relevant information society services for online child sexual abuse in the internal market.	the misuse of relevant information society services for online child sexual abuse in ***order to contribute to the proper functioning of a safe, predictable and trusted online environment in*** the internal market. Text Origin: CY PCY - drafting
Article 1(1), second subparagraph				
G 100	It establishes, in particular:	It establishes, in particular:	It establishes, in particular:	It establishes, in particular: Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (a)				
G 101	(a) obligations on providers of relevant information society services to minimise the risk that their services are misused for online child sexual abuse;	(a) obligations on providers of relevant information society services to minimise the risk that their services are misused for online child sexual abuse;	(a) obligations on providers of relevant information society services to ***effectively*** minimise the risk that their services are ~~misused~~***used*** for online child sexual abuse;	(a) obligations on providers of relevant information society services to ***effectively*** minimise the risk that their services are ~~misused~~***used*** for online child sexual abuse; Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (b)				
102	(b) obligations on providers of hosting services and providers of interpersonal communication services to detect and report online child sexual abuse;	(b) obligations on providers of hosting services and providers of ***number-independent*** interpersonal communication services to detect and report online child sexual abuse;	(b) obligations on providers of hosting services and providers of interpersonal ~~communication~~***communications*** services to~~detect and~~ report online child sexual abuse;	(b) obligations on providers of hosting services and providers of ***number-independent*** interpersonal communication services to ***[***detect and***]*** report online child sexual abuse; Trilogue (11.05.): Provisionally agreed except bracketed part. Linked to voluntary detection/detection orders

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				Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (c)				
103	(c) obligations on providers of hosting services to remove or disable access to child sexual abuse material on their services;	(c) obligations on providers of hosting services to remove or disable access to child sexual abuse material on their services;	(c) obligations on providers of hosting services to remove or disable access to child sexual abuse material on their services;	(c) obligations on providers of hosting services to remove or disable access to child sexual abuse material on their services; Text Origin: Commission Proposal
Article 1(1), second subparagraph, point (d)				
104	(d) obligations on providers of internet access services to disable access to child sexual abuse material;	(d) obligations on providers of internet access services to disable access to child sexual abuse material;	(d) obligations on providers of internet access services to ~~*disable access to*~~ ***prevent users from accessing*** child sexual abuse material;	(d) obligations on providers of internet access services to ~~*disable access to*~~ ***prevent users from accessing*** child sexual abuse material; Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (da)				
104a		***(da) obligations on providers of online games; and***	***(da) obligations on providers of online search engines to delist websites indicating specific items of child sexual abuse;***	ITM (4.05): ON HOLD (Pending agreement on Art. 4a and Art. 18a),
Article 1(1), second subparagraph, point (e)				
105	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States~~, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.~~**;**	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.	(e) rules on the implementation and enforcement of this Regulation, including as regards the designation and functioning of the competent authorities of the Member States~~, the EU Centre on Child Sexual Abuse established in Article 40 ('EU Centre') and cooperation and transparency.~~**;**

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				Text Origin: CY PCY - drafting
Article 1(1), second subparagraph, point (ea)				
105a		***(ea) rules on the establishment, functioning, cooperation, transparency and powers of the EU Centre For Child Protection on Child Sexual Abuse established in Article 40 ('EU Centre');***		***(ea) rules on the establishment, tasks, cooperation, and transparency of the EU Centre for the Protection of Children from Child Sexual Abuse established in Article 40 ('EU Centre').*** Text Origin: CY PCY - drafting
Article 1(2)				
106	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment.	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment.	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment.	2.This Regulation shall apply to providers of relevant information society services offering such services in the Union, irrespective of their place of main establishment. Text Origin: Commission Proposal
Article 1(2a)				
106a		***2a. This Regulation shall not apply to audio communications.***		Informal meeting (13.05): EP to check which audio content should be excluded from the scope.
Article 1(3)				
107	3.This Regulation shall not affect the rules laid down by the following legal acts:	3.This Regulation shall not affect the rules laid down by the following legal acts:	3.This Regulation shall not affect the rules laid down by the following legal acts:	3.This Regulation shall not affect the rules laid down by the following legal acts: Comment from line 484 (27.02): - EP amendment in line 484 to be addressed in Article 1(3).

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 1(3), point (-a)				
107a		***3a. Nothing in this Regulation shall be interpreted as prohibiting, weakening or undermining end-to-end encryption. Providers shall not in particular be prohibited to offer end-to-end encrypted services.***		*deleted* *Covered in line 112a.*
Article 1(3), point (a)				
108	*(a)* Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;	(a) Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;	(a) Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;	(a) Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA; Text Origin: Commission Proposal
Article 1(3), point (b)				
109	(b) Directive 2000/31/EC and Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(b) Directive 2000/31/EC and Regulation (EU) ~~…/… [~~***2022/2065*** on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(b) Directive 2000/31/EC and Regulation (EU) ~~…/… [~~***2022/2065 of the European Parliament and of the Council of 19 October 2022*** on a Single Market For Digital Services ~~(Digital Services Act)~~ and amending Directive 2000/31/EC~~]~~ ***(Digital Services Act)*** ;	(b) Directive 2000/31/EC ~~and Regulation (EU) …/… [on a Single Market For Digital~~***on certain legal aspects of information society*** services***, in particular electronic commerce, in the Internal Market ('*** ~~(Digital Services Act) and amending~~ Directive ~~2000/31/EC]~~***on electronic commerce')***; Text Origin: CY PCY - drafting
Article 1(3), point (ba)				
109a			***(ba) Regulation (EU) 2022/1925 of***	***(ba) Regulation (EU) 2022/1925***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act);	***on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act);*** Text Origin: CY PCY - drafting	
Article 1(3b)					
G	109b		***3b Nothing in this Regulation shall undermine the prohibition of general monitoring under Union law or introduce general data retention obligations, or be interpreted in that way.***	*deleted* *Moved to 111e.* *Text Origin: CY PCY - drafting*	G
Article 1(3), point (bc)					
G	*109c*			***(bb) Regulation (EU) 2022/2065 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act);*** Text Origin: CY PCY - drafting	G
Article 1(3), point (c)					
G	110	(c) Directive 2010/13/EU;	(c) Directive 2010/13/EU ***of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)***;	(c) Directive 2010/13/EU ***on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)***; Text Origin: CY PCY - drafting	G
Article 1(3), point (d)					

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111	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and, subject to paragraph 4 of this Article, Directive 2002/58/EC.	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and, subject to paragraph 4 of this Article, Directive 2002/58/EC.	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and ~~, subject to paragraph 4 of this Article,~~ Directive 2002/58/EC ~~.~~ ;	(d) Regulation (EU) 2016/679, Directive 2016/680, Regulation (EU) 2018/1725, and [, subject to paragraph 4 of this Article,] Directive 2002/58/EC. ITM (4.05): Provisionally agreed through written exchange except bracketed part. Text Origin: CY PCY - drafting
Article 1(3), point (da)				
G 111a			*(da) Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online;*	*(da) Regulation (EU) 2021/784 on addressing the dissemination of terrorist content online;* Text Origin: CY PCY - drafting
Article 1(3), point (db)				
G 111b		*(da) Directive (EU) 2022/2555 of the European Parliament and the Council of 14 December 2022 on measures for high common level of cybercecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972 and repealing Directive (EU) 2016/1148 (NIS 2 Directive); and*	*(db) Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive).*	*(db) Directive (EU) 2022/2555 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive);* Text Origin: CY PCY - drafting
Article 1(3), point (dc)				
G 111c		*(db) Regulation (EU) .../... on Artificial Intelligence (Artificial Intelligence Act);*		*(dc) Regulation (EU) 2024/1689 on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU)*

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				No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act). Text Origin: CY PCY - drafting
Article 1(3a)				
G 111d			***3a. This Regulation shall not have the effect of modifying the obligation to respect the rights, freedoms and principles referred to in Article 6 TEU and shall apply without prejudice to fundamental principles relating to the right for respect to private life and family life and to freedom of expression and information.***	*deleted* G
Article 1(3b)				
111e				***3a. Nothing in this Regulation shall be understood as a general obligation for relevant information society service providers to monitor the information which they transmit or store, nor a general obligation actively to seek facts or circumstances indicating illegal activity. [This does not concern detection obligations in a specific case and, in particular, does not affect detection orders adopted in accordance with this Regulation. Nothing in this Regulation shall be interpreted as introducing a general***

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				data retention obligation.] ITM (4.05): ON HOLD. Moved from 109b.
Article 1(4)				
112	4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC insofar as necessary for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.	4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC ~~*insofar as*~~***with the sole objective of enabling relevant information society services to use specific technologies for the processing of personal and other data to the extent strictly*** necessary ***to detect and report online child sexual abuse and remove child sexual abuse material from their services*** for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.	~~*4.This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC insofar as necessary for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.*~~	4.***[***This Regulation limits the exercise of the rights and obligations provided for in 5(1) and (3) and Article 6(1) of Directive 2002/58/EC ~~*insofar as*~~***with the sole objective of enabling relevant information society services to use specific technologies for the processing of personal and other data to the extent strictly*** necessary ***to detect and report online child sexual abuse and remove child sexual abuse material from their services*** for the execution of the detection orders issued in accordance with Section 2 of Chapter 1 of this Regulation.***]*** ITM (4.05): ON HOLD (Pending agreement on detection). Scope of providers to be discussed. Linked to voluntary detection/detection orders Text Origin: CY PCY - drafting
Article 1(4a)				
G 112a			***4a. This Regulation shall not prohibit, make impossible, weaken,***	***4a. This Regulation shall not prohibit, make impossible, weaken,*** G

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			circumvent or otherwise undermine cybersecurity measures, in particular encryption, including end-to-end encryption, implemented by the relevant information society services or by the users. This Regulation shall not create any obligation that would require a provider of hosting services or a provider of interpersonal communications services to decrypt data or create access to end-to-end encrypted data, or that would prevent providers from offering end-to-end encrypted services.	***circumvent or otherwise undermine cybersecurity measures, in particular encryption, including end-to-end encryption, implemented by the relevant information society services or by the users. This Regulation shall not create any obligation that would require a provider of hosting services or a provider of interpersonal communications services to decrypt data or create access to end-to-end encrypted data, or that would prevent providers from offering end-to-end encrypted services.*** Text Origin: CY PCY - drafting
Article 2				
G 113	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions Text Origin: Commission Proposal
Article 2, first paragraph				
G 114	For the purpose of this Regulation, the following definitions apply:	For the purpose of this Regulation, the following definitions apply:	For the purpose of this Regulation, the following definitions apply:	For the purpose of this Regulation, the following definitions apply: Text Origin: Commission Proposal
Article 2, first paragraph, point (a)				
G 115	(a) ‘hosting service’ means an information society service as defined in Article 2, point (f), third indent, of Regulation (EU) …/… [on	(a) ‘hosting service’ means an information society service as defined in Article ~~2~~3, point ~~(f)~~(g), third indent, of Regulation (EU)	(a) ‘hosting service’ means an information society service as defined in Article ~~2~~3(g), point ~~(f), third indent~~(iii) , of Regulation (EU)	(a) ‘hosting service’ means an information society service as defined in Article ~~2~~3(g), point ~~(f), third indent~~(iii) , of Regulation (EU)

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	a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	~~.../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];~~ **2022/2065;**	~~.../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];~~ **2022/2065 ;**	~~.../... [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];~~ **2022/2065;** Text Origin: CY PCY - drafting
Article 2, first paragraph, point (b)				
116	(b) 'interpersonal communications service' means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;	(b) 'interpersonal communications service' means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;	(b) 'interpersonal communications service' means a publicly available service as defined in Article 2, point 5, of Directive (EU) 2018/1972, including services which enable direct interpersonal and interactive exchange of information merely as a minor ancillary feature that is intrinsically linked to another service;	*deleted* *Trilogue (11.05.): Deletion following provisional agreement on the scope.* *Text Origin: Commission Proposal*
Article 2, first paragraph, point (ba)				
116a		***(ba) 'number-independent interpersonal communications service' means an interpersonal communications service as defined in Article (2), point (7) of Directive (EU) 2018/1972;***	***(ba) 'number-independent interpersonal communications service' means a publicly available service as defined in Article 2, point (7), of Directive (EU) 2018/1972;***	***(ba) 'number-independent interpersonal communications service' means a service normally provided for remuneration that enables direct interpersonal and interactive exchange of information via electronic communications networks between a finite number of persons, whereby the persons initiating or participating in the communication determine its recipient(s) and which does not connect with publicly assigned numbering resources, namely, a number or numbers in national or international numbering plans, or***

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				which does not enable communication with a number or numbers in national or international numbering plans. When services for direct interpersonal and interactive exchange of information are merely offered as a minor ancillary feature intrinsically linked to another service, this part of the service shall be considered as being covered by this definition. Trilogue (11.05.): Further technical work is required. DQL review Text Origin: EP Mandate
Article 2, first paragraph, point (bb)				
116b		***(bb) 'number-independent interpersonal communications service within games' means any service defined in Article (2), point (7) of Directive (EU) 2018/1972 which is part of a game;***		*deleted* *Informal (18.05.): For provisional agreement.*
Article 2, first paragraph, point (c)				
117	*(c)* 'software application' means a digital product or service as defined in Article 2, point 13, of Regulation (EU) …/… [on contestable and fair markets in the digital sector (Digital Markets Act)];	(c) 'software application' means a digital product or service as defined in Article ~~2~~***(2)***, point ~~13~~***(15)***, of Regulation (EU) ~~…/… [on contestable and fair markets in the digital sector (Digital Markets Act)]~~***2022/1925***;	(c) 'software application' means a digital product or service as defined in Article 2, point ~~13~~***(15)*** , of Regulation (EU) ~~…/… [on contestable and fair markets in the digital sector (Digital Markets Act)];~~***2022/1925 ;***	ITM (4.05): ON HOLD (Pending agreement on Article 6).

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Article 2, first paragraph, point (d)				
118	(d) 'software application store' means a service as defined in Article 2, point 12, of Regulation (EU) …/… [on contestable and fair markets in the digital sector (Digital Markets Act)];	(d) 'software application store' means a service as defined in Article ~~2~~**(2)**, point ~~12~~**(14)**, of Regulation (EU) ~~…/… [on contestable and fair markets in the digital sector (Digital Markets Act)]~~**2022/1925**;	(d) 'software application store' means a service as defined in Article 2, point ~~12~~**(14)**, of Regulation (EU) ~~…/… [on contestable and fair markets in the digital sector (Digital Markets Act)]~~**2022/1925**;	ITM (4.05): ON HOLD (Pending agreement on Article 6).
Article 2, first paragraph, point (e)				
G 119	(e) 'internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU) 2015/2120 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18).	(e) ~~'~~internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU) 2015/2120 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18).	(e) 'internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU) 2015/2120 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18).	(e) 'internet access service' means a service as defined in Article 2(2), point 2, of Regulation (EU) 2015/2120 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1–18). Text Origin: Commission Proposal G
Article 2, first paragraph, point (f)				
G 120	(f) 'relevant information society services' means all of the following services:	(f) 'relevant information society services' means all of the following services:	(f) 'relevant information society services' means all of the following services:	(f) 'relevant information society services' means all of the following services: Text Origin: Commission Proposal G
Article 2, first paragraph, point (f)(i)				

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121	(i) a hosting service;	(i) a hosting service;	(i) a hosting service;	(i) a hosting service; Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(ii)				
122	(ii) an interpersonal communications service;	(ii) ~~an~~ ***a number-independent*** interpersonal communications service;	(ii) an interpersonal communications service;	(ii) ~~an~~ ***a number-independent*** interpersonal communications service; Trilogue (11.05.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 2, first paragraph, point (f)(iii)				
123	(iii)a software applications store;	(iii)a software applications store;	(iii)a software applications store;	(iii)a software applications store; ITM (4.05): ON HOLD (Pending agreement on scope). Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(iv)				
124	(iv)an internet access service.	(iv)an internet access service.	(iv)an internet access service.	(iv)an internet access service. Text Origin: Commission Proposal
Article 2, first paragraph, point (f)(iva)				
124a			***(iva) online search engines.***	Trilogue (11.05.): Further discussion at technical level.
Article 2, first paragraph, point (f)(ivb)				
124b		***(iv a) a number-independent interpersonal communication service within online games.***		*deleted* Text Origin: CY PCY - drafting

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Article 2, first paragraph, point (g)				
125	*(g)* 'to offer services in the Union' means to offer services in the Union as defined in Article 2, point (d), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(g) 'to offer services in the Union' means to offer services in the Union as defined in Article ~~2~~**3**, point (d), of Regulation ~~*(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~ ***(EU) 2022/2065***;	(g) 'to offer services in the Union' means to offer services in the Union as defined in Article ~~2~~**3** , point (d), of Regulation ~~*(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~ ***(EU) 2022/2065*** ;	(g) 'to offer services in the Union' means to offer services in the Union as defined in Article ~~2~~**3**, point (d), of Regulation ~~*(EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~ ***(EU) 2022/2065***; Text Origin: EP Mandate
Article 2, first paragraph, point (h)				
126	(h) 'user' means any natural or legal person who uses a relevant information society service;	(h) 'user' means any natural or legal person who uses a relevant information society service;	(h) 'user' means any natural or legal person who uses a relevant information society service;	(h) 'user' means any natural or legal person who uses a relevant information society service; Text Origin: Commission Proposal
Article 2, first paragraph, point (i)				
127	(i) 'child' means any natural person below the age of 18 years;	(i) 'child' means any natural person below the age of 18 years;	(i) 'child' means any natural person below the age of 18 years;	(i) 'child' means any natural person below the age of 18 years; Text Origin: Commission Proposal
Article 2, first paragraph, point (j)				
128	(j) 'child user' means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;	*deleted*	~~*(j) 'child user' means a natural person who uses a relevant information society service and who is a natural person below the age of 17 years;*~~	*deleted*
Article 2, first paragraph, point (k)				
129	*(k)* 'micro, small or medium-sized enterprise' means an enterprise as	(k) 'micro, small or medium-sized enterprise' means an enterprise as	(k) 'micro, small or medium-sized enterprise' means an enterprise as	(k) 'micro, small or medium-sized enterprise' means ~~*an enterprise as*~~

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	defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized enterprises[1]; 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).	defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized enterprises[1]; 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).	defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized enterprises[1]; 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).	~~*defined in Commission Recommendation 2003/361 concerning the definition of micro, small and medium-sized*~~ enterprises~~*[1]*~~ ***which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50 million, or an annual balance sheet total not exceeding EUR 43 million***; ~~*1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36–41).*~~ Informal (18.05.): CNS to propose text. Text Origin: Commission Proposal
Article 2, first paragraph, point (l)				
130	(l) 'child sexual abuse material' means material constituting child pornography or pornographic performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;	(l) 'child sexual abuse material' means material constituting child pornography or pornographic performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;	(l) 'child sexual abuse material' means material constituting child pornography or pornographic performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU;	(l) 'child sexual abuse material' means material constituting child pornography or pornographic performance as defined in Article 2, points (c) and (e), respectively, of Directive 2011/93/EU; Trilogue (11.05.): Provisionally agreed. Informal meeting (13.05.): A definition of "instruction manuals" should be included as a new line in alignment with the CSA Directive. Text Origin: Commission Proposal
Article 2, first paragraph, point (m)				

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131	(m) 'known child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a);	(m) 'known child sexual abuse material' means ~~*potential*~~ child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a);	(m) 'known child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a);	(m) 'known child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (a); Text Origin: CY PCY - drafting
Article 2, first paragraph, point (n)				
132	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b);	(n) 'new child sexual abuse material' means potential child sexual abuse material detected using the indicators contained in the database of indicators referred to in Article 44(1), point (b); Text Origin: Commission Proposal
Article 2, first paragraph, point (o)				
133	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU;	(o) 'solicitation of children' means the solicitation of children for sexual purposes as referred to in Article 6 of Directive 2011/93/EU; Text Origin: Commission Proposal
Article 2, first paragraph, point (p)				
134	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material and the solicitation of children;	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material and the solicitation of children;	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material and the solicitation of children;	(p) 'online child sexual abuse' means the online dissemination of child sexual abuse material ***[or instruction manuals]*** and the solicitation of children; Trilogue (11.05.): Provisionally agreed.

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				Informal meeting (13.05.): A definition of "instruction manuals" should be included as a new line in alignment with the CSA Directive. Text Origin: Commission Proposal
Article 2, first paragraph, point (q)				
135	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU;	(q) 'child sexual abuse offences' means offences as defined in Articles 3 to 7 of Directive 2011/93/EU; Text Origin: Commission Proposal
Article 2, first paragraph, point (qa)				
135a		***(qa) 'victim' means a person who being under 18 suffered child sexual abuse offences or/and whose child sexual abuse material is hosted or disseminated in the Union;***		*deleted* *Text Origin: CY PCY - drafting*
Article 2, first paragraph, point (r)				
136	*(r)* 'recommender system' means the system as defined in Article 2, point (o), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(r) 'recommender system' means the system as defined in Article 2, point (o), of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***;	(r) 'recommender system' means the system as defined in Article ~~2~~***3***, point ~~(o)~~***(s)*** , of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065*** ;	(r) 'recommender system' means the system as defined in Article ~~2~~***3***, point ~~(o)~~***(s)***, of Regulation (EU) ~~…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]~~***2022/2065***; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (s)				

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137	(s) 'content data' means data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal matters (…/… e-evidence Regulation)];	(s) 'content data' means ~~*data as defined in Article 2, point 10, of Regulation (EU) … [on European Production and Preservation Orders for electronic evidence in criminal matters (…/… e-evidence Regulation)]*~~***texts, videos and images**;	(s) 'content data' means data as defined in Article ~~*2*~~***3**, point ~~*10*~~***(12)**, of Regulation (EU) ~~*… [*~~***2023/1543 of the European Parliament and of the Council of 12 July 2023** on European Production ***Orders and European***~~*and*~~ Preservation Orders for electronic evidence in criminal ~~*matters*~~ ***proceedings and for the execution of custodial sentences following criminal proceedings*** (~~*…/…*~~ e-evidence Regulation)~~*]*~~;	Informal meeting (13.05.): EP to check scope of audio communications.
Article 2, first paragraph, point (t)				
138	(t) 'content moderation' means the activities as defined in Article 2, point (p), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(t) 'content moderation' means the activities as defined in Article 2, point ~~*(p)*~~***(t)**, of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065**;	(t) 'content moderation' means the activities as defined in Article ~~*2*~~***3**, point ~~*(p)*~~***(t)** , of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065** ;	(t) 'content moderation' means the activities as defined in Article ~~*2*~~***3**, point ~~*(p)*~~***(t)**, of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065**; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (ta)				
138a			***(ta) 'Competent authority of establishment' means the competent authority designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;***	ITM (4.05): ON HOLD (Pending outcome of the discussions on line 358).
Article 2, first paragraph, point (u)				

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139	(u) 'Coordinating Authority of establishment' means the Coordinating Authority for child sexual abuse issues designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;	(u) 'Coordinating Authority of establishment' means the Coordinating Authority for child sexual abuse issues designated in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;	(u) 'Coordinating Authority of establishment' means ***the competent authority designated as*** the Coordinating Authority for child sexual abuse issues ~~*designated*~~ in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established;	(u) 'Coordinating Authority of establishment' means ***the competent authority designated as*** the Coordinating Authority for child sexual abuse issues ~~*designated*~~ in accordance with Article 25 by the Member State where the provider of information society services has its main establishment or, where applicable, where its legal representative resides or is established; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (v)				
140	(v) 'terms and conditions' means terms and conditions as defined in Article 2, point (q), of Regulation (EU) …/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC];	(v) 'terms and conditions' means terms and conditions as defined in Article 2, point ~~*(q)*~~***(u)***, of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065***;	(v) 'terms and conditions' means terms and conditions as defined in Article ~~*2*~~***3***, point ~~*(q)*~~***(u)*** , of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065*** ;	(v) 'terms and conditions' means terms and conditions as defined in Article ~~*2*~~***3***, point ~~*(q)*~~***(u)***, of Regulation (EU) ~~*…/… [on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC]*~~***2022/2065***; Text Origin: CY PCY - drafting
Article 2, first paragraph, point (w)				
141	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised.	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised.	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised ~~*.*~~***;***	(w) 'main establishment' means the head office or registered office of the provider of relevant information society services within which the principal financial functions and operational control are exercised ~~*.*~~***;*** Text Origin: Council Mandate
Article 2, first paragraph, point (wa)				

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141a			***(wa) 'online search engine' means an intermediary service as defined in Article 3, point (j), of Regulation (EU) 2022/2065;***	***(wa) 'online search engine' means an intermediary service as defined in Article 3, point (j), of Regulation (EU) 2022/2065;*** Informal meeting (13.05.): For provisional agreement. Text Origin: Council Mandate
Article 2, first paragraph, point (wb)				
141b				***(wb) 'emergency case' means a situation in which there is an imminent threat to the life, safety or physical integrity of a child or when the situation indicates ongoing abuse.*** Informal meeting (13.05.): For provisional agreement.
Article 2, first paragraph, point (wc)				
G 141c		***(wa) 'hotline' means an organisation officially recognised by its Member State of establishment that provides a mechanism, other than the reporting channels provided by law enforcement authorities, for receiving anonymous complaints from victims and the public about alleged online child sexual abuse;***		*deleted* *Covered in line 695.* *Text Origin: CY PCY - drafting* G
Article 2, first paragraph, point (wd)				
141d			***(wb) 'metadata' means metadata as defined in Article 2, point (2), of***	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Regulation (EU) 2023/2854.	*Informal (18.05.): CNS to propose text.*
Article 2, first paragraph, point (we)				
141e		***(wb) "help-line" means an organisation that provides services for children in need officially recognised by its Member State of establishment;***		*deleted* *Covered in line 695.* *Text Origin: CY PCY - drafting*
Section 3				
298	*Section 3* Reporting obligations	Section 3 Reporting obligations	Section 3 Reporting obligations	Section 3 Reporting obligations Text Origin: Commission Proposal
Article 12				
299	Article 12 Reporting obligations	Article 12 Reporting obligations	Article 12 Reporting obligations ***and notification by the users***	Article 12 Reporting obligations Text Origin: CY PCY - drafting
Article 12(1)				
300	1.Where a provider of hosting services or a provider of interpersonal communications services becomes aware in any manner other than through a removal order issued in accordance with this Regulation of any information indicating potential online child sexual abuse on its services, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13. It shall do so through the system established in accordance	1.Where a provider of hosting services or a provider of ***number-independent*** interpersonal communications services ~~*becomes aware*~~***obtains actual knowledge*** in any manner other than through a removal order issued in accordance with this Regulation of any information indicating potential online child sexual abuse on its services, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13 ***and***	1.Where a provider of hosting services or a provider of interpersonal communications services becomes aware in any manner other than through a removal order issued in accordance with this Regulation of any information ***that indicate*** ~~*indicating*~~ potential online child sexual abuse on its ~~*services*~~***service***, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13. It shall do so through the system	1.Where a provider of hosting services or a provider of ***number-independent*** interpersonal communications services becomes aware in any manner other than through a removal order issued in accordance with this Regulation of any information indicating ***the presence of*** potential online child sexual abuse on its ~~*services*~~***service***, it shall promptly submit a report thereon to the EU Centre in accordance with Article 13. It shall

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	with Article 39(2).	***providers of hosting services shall expeditiously remove or disable access to it, except where communicated otherwise under Article 48(6) point (b)***. It shall do so through the system established in accordance with Article 39(2).	established in accordance with Article 39(2).	do so through the system established in accordance with Article 39(2). Informal (18.05.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 12(2), first subparagraph				
301	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the user concerned, providing information on the main content of the report, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider and on the user's possibilities of redress, including on the right to submit complaints to the Coordinating Authority in accordance with Article 34.	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the user concerned ***without undue delay, except where the EU Centre has communicated otherwise under Article 48(6) point (a)***, providing information on the main content of the report, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider and on the user's possibilities of redress, including on the right to submit complaints to the Coordinating Authority in accordance with Article 34.	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the ~~*user*~~***users*** concerned, ***in accordance with the following sub-paragraphs*** providing information on the main content of the report~~*, on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider*~~ and on the ~~*user's*~~ possibilities of redress, including on the right to submit complaints to the Coordinating Authority in accordance with Article 34.	2.Where the provider submits a report pursuant to paragraph 1, it shall inform the ~~*user*~~***users*** concerned, providing information on the main content of the report, ~~*on the manner in which the provider has become aware of the potential child sexual abuse concerned, on the follow-up given to the report insofar as such information is available to the provider*~~ and on the ~~*user's*~~ possibilities of redress, including on the right to submit complaints to the Coordinating Authority in accordance with Article 34. ITM (4.05): EP and CNS agreed to streamline the text DQL review Text Origin: CY PCY - drafting
Article 12(2), second subparagraph				
302	The provider shall inform the user concerned without undue delay, either after having received a	The provider shall inform the user concerned without undue delay, either after having received a	The provider shall inform the ~~*user*~~***users*** concerned without undue delay, either after having received a	The provider shall inform the ~~*user*~~***users*** concerned without undue delay, either after having received a

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	communication from the EU Centre indicating that it considers the report to be manifestly unfounded as referred to in Article 48(2), or after the expiry of a time period of three months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first.	communication from the EU Centre indicating that it considers the report to be ~~*manifestly*~~ unfounded as referred to in Article 48(2), or after the expiry of a time period of three months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first.	communication from the EU Centre indicating that it considers the report to be manifestly unfounded as referred to in Article 48(2), or after the expiry of a time period of ~~*three*~~ ***six*** months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first. ***The period of six months refered to in this subparagraph shall be extended by up to 6 months where so requested by the competent authority referred to in Article 48(6).***	communication from the EU Centre indicating that it considers the report to be manifestly unfounded as referred to in Article 48(2), or after the expiry of a time period of ~~*three*~~***[six]*** months from the date of the report without having received a communication from the EU Centre indicating that the information is not to be provided as referred to in Article 48(6), point (a), whichever occurs first. ITM (4.05): EP and CNS agreed to streamline the text. CNS to check whether extension period should be retained. DQL review Text Origin: CY PCY - drafting
Article 12(2), third subparagraph				
303	Where within the three months' time period referred to in the second subparagraph the provider receives such a communication from the EU Centre indicating that the information is not to be provided, it shall inform the user concerned, without undue delay, after the expiry of the time period set out in that communication.	*deleted*	Where within the ~~*three months'*~~ time period referred to in the second subparagraph the provider receives such a communication from the EU Centre indicating that the information is not to be provided, it shall inform the ~~*user*~~***users*** concerned, without undue delay, after the expiry of the time period set out in that communication.	Where within the ~~*three months'*~~ time period referred to in the second subparagraph the provider receives such a communication from the EU Centre indicating that the information is not to be provided, it shall inform the ~~*user*~~***users*** concerned, without undue delay, after the expiry of the time period set out in that communication. ITM (4.05): EP and CNS agreed to streamline the text.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				DQL review Text Origin: CY PCY - drafting
Article 12(3)				
Y 304	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to flag to the provider potential online child sexual abuse on the service.	3.~~The provider~~***Providers of hosting services and providers of number-independent interpersonal communication services*** shall establish and operate an ~~accessible~~***easy to access***, age-appropriate***, child-friendly*** and user-friendly mechanism that allows ***any*** users ***or entity*** to flag ~~to the provider~~***or notify them of the presence on their service of specific items of information that the individual or entity considers to be*** potential online child sexual abuse***, including self-generated material. Those mechanisms shall allow for the submission of notices by users or entities exclusively by electronic means and allow for anonymous reporting already available through anonymous reporting channels as defined by Directive (EU) 2019/1937*** ~~on the service~~.	3.The provider shall establish and operate an ~~accessible~~***easy to access,, effective***, age-appropriate and user-friendly***, in particular child-friendly,*** mechanism that allows users to ~~flag~~***notify*** to the provider ***information that indicate*** potential online child sexual abuse on ~~the~~***its*** service. ***Those mechanisms shall allow for the submission of notices by individuals or entities exclusively by electronic means.***	3.~~The provider~~***Providers*** shall ~~establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to flag to the provider~~***put mechanisms in place to allow any individual or entity to notify them of the presence on their service of specific items of information that the individual or entity considers to be*** potential online child sexual abuse***. Those mechanisms shall be easy to access and user-friendly, and shall allow for the anonymous submission of notices exclusively by electronic means*** ~~on the service~~. Trilogue (11.05): COM request to reconsider, related to line 29c. Reconsider in light of DSA alignment. Text Origin: CY PCY - drafting
Article 12(3a)				
G 304a			***The mechanisms shall be such as to facilitate the submission of sufficiently precise and adequately substantiated notices. To that end, the providers shall take the***	***3a. The mechanisms referred to in paragraph 3 shall be such as to facilitate the submission of sufficiently precise and adequately substantiated notices. To that end,***

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			necessary measures, with particular attention to the needs of the child, to enable and to facilitate the submission of notices, with a view to receiving:	***the providers shall take the necessary measures, with particular attention to the needs of the child, to enable and to facilitate the submission of notices containing all of the following elements:*** Text Origin: CY PCY - drafting	
Article 12(3a), point (a)					
G	304b		***(a) the reasons why the user alleges that the material or conversation at issue constitutes online child sexual abuse;***	***(a) a sufficiently substantiated explanation of the reasons why the individual or entity alleges the information in question to be potential online child sexual abuse; and*** Text Origin: CY PCY - drafting	G
Article 12(3a), point (b)					
G	304c		***(b) a clear indication of the online location of the alleged online child sexual abuse and, where necessary, information specific to a service that enables the identification of its online location.***	***(b) where applicable, a clear indication of the exact electronic location of that information, and, where necessary, additional information enabling the identification of the potential online child sexual abuse adapted to the type of content and to the specific type of service;*** Text Origin: CY PCY - drafting	G
Article 12(3b)					
G	304d	***3a. The Commission, in cooperation with Coordinating Authorities and the EU Centre after having conducted a public***	***3a. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public***	***3b. The Commission, in cooperation with Coordinating Authorities and the EU Centre and after having conducted a public***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		consultation shall, by [six months from the date of entry into force of this Regulation], adopt implementing acts laying down the practical and operational arrangements for the design of a uniform identifiable notification mechanism referred to in paragraph 3, including for the design of a uniform easily recognisable icon in the user interface. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 87.	***consultation, shall issue guidelines on the application of paragraph 3, having due regard in particular to the child's age, maturity, views, needs and concerns.***	***consultation, may issue guidelines on the application of paragraph 3, having due regard in particular to the child's age, maturity, views, needs and concerns.*** Text Origin: CY PCY - drafting
Article 13				
G 305	Article 13 Specific requirements for reporting	Article 13 Specific requirements for reporting	Article 13 Specific requirements for reporting	Article 13 Specific requirements for reporting Text Origin: Commission Proposal
Article 13(1)				
306	1.Providers of hosting services and providers of interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. The report shall include:	1.Providers of hosting services and providers of ***number-independent*** interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. ***They shall make all the reasonable efforts to ensure the quality of the information submitted in order to facilitate the assessment and process by the EU Centre in accordance with Article 49(1).*** The	1.Providers of hosting services and providers of interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. The report shall include:	1.Providers of hosting services and providers of ***number-independent*** interpersonal communications services shall submit the report referred to in Article 12 using the template set out in Annex III. The report shall include: Trilogue (11.05.): Provisionally agreed. EP amendment to be reflected in a recital. Text Origin: CY PCY - drafting

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		report shall include:		
Article 13(1), point (a)				
G 307	(a) identification details of the provider and, where applicable, its legal representative;	(a) identification details of the provider and, where applicable, its legal representative;	(a) identification details of the provider and, where applicable, its legal representative;	(a) identification details of the provider and, where applicable, its legal representative; Text Origin: Commission Proposal
Article 13(1), point (b)				
G 308	(b) the date, time stamp and electronic signature of the provider;	(b) the date, time stamp and electronic signature of the provider;	(b) the date, time stamp and electronic signature of the provider;	(b) the date, time stamp and electronic signature of the provider; Text Origin: Commission Proposal
Article 13(1), point (ba)				
G 308a			***(ba) manner in which the provider became aware of the potential child sexual abuse;***	***(ba) the manner in which the provider became aware of the potential online child sexual abuse*** Text Origin: CY PCY - drafting
Article 13(1), point (c)				
G 309	(c) all content data, including images, videos and text;	(c) all content data~~, including images, videos and text~~ ***being reported***;	(c) ~~all~~ content data~~, including images, videos and text~~ ***related to the reported potential online child sexual abuse***;	(c) all content data~~, including images, videos and text~~ ***related to the reported potential online child sexual abuse***; Text Origin: CY PCY - drafting
Article 13(1), point (d)				
310	(d) all available data other than content data related to the potential online child sexual abuse;	(d) all ***relevant*** available data other than content data related to the potential online child sexual abuse;	(d) ~~all~~***other*** available~~ data other than content~~ data related to the ***reported*** potential online child sexual abuse***, including metadata related to media files and***	(d) all ***relevant*** available data other than content data related to the ***reported*** potential online child sexual abuse;

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			communications;	Informal (18.05.): CNS to propose text. Ref. 141c. Text Origin: CY PCY - drafting
Article 13(1), point (e)				
311	(e) whether the potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the potential online child sexual abuse ***to their knowledge*** concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material or the solicitation of children;	(e) whether the ***reported*** potential online child sexual abuse ***to their knowledge*** concerns the dissemination of known or new child sexual abuse material or the solicitation of children; Text Origin: CY PCY - drafting
Article 13(1), point (f)				
312	(f) information concerning the geographic location related to the potential online child sexual abuse, such as the Internet Protocol address;	*deleted*	(f) information concerning the geographic location related to the potential online child sexual abuse, such as the Internet Protocol address ***of upload, with associated date and time stamp, including time zone, and port number***;	(f) information concerning the geographic location related to the potential online child sexual abuse ***content***, such as the ***relevant*** Internet Protocol address, ***with associated data and time stamp, including time zone and port number, and, where relevant and possible, a clear indication of the exact electronic location of that information, such as the exact URL or URLs***; Informal (18.05.): Provisionally agreed. DQL review required. DQL review Text Origin: CY PCY - drafting
Article 13(1), point (fa)				
312a		***(fa) where applicable, an exact***		

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		uniform resource locator and, where necessary, additional information for the identification of the potential child sexual abuse material;		*deleted* *Moved to line 312.* *Text Origin: CY PCY - drafting*
Article 13(1), point (g)				
313	*(g)* information concerning the identity of any user involved in the potential online child sexual abuse;	(g) ***available*** information concerning the identity of any user involved in the potential online child sexual abuse;	(g) information concerning the identity of any user involved in the potential online child sexual abuse***, including unique identifiers of the user***;	(g) ***available*** information concerning the identity of any user involved in the potential online child sexual abuse***, including unique identifiers of the user***; Text Origin: CY PCY - drafting
Article 13(1), point (h)				
314	(h) whether the provider has also reported, or will also report, the potential online child sexual abuse to a public authority or other entity competent to receive such reports of a third country and if so, which authority or entity;	(h) whether the provider has also reported, or will also report, the potential online child sexual abuse to a public authority or other entity competent to receive such reports of a third country and if so, which authority or entity;	(h) whether the provider has also reported, or will also report, the ***information that indicate*** potential online child sexual abuse to a ***third-country*** public authority or other entity competent to receive such reports ~~*of a third country*~~ and if so, which authority or entity;	(h) whether the provider has also reported, or will also report, the ***information that indicates*** potential online child sexual abuse to a ***third-country*** public authority or other entity competent to receive such reports ~~*of a third country*~~ and if so, which authority or entity; Text Origin: CY PCY - drafting
Article 13(1), point (i)				
315	(i) where the potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material, whether the provider has removed or disabled access to the material;	(i) where the potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material, whether the provider has removed or disabled access to the material;	(i) where the ***information that indicate*** potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material, whether the provider has removed or disabled access to the material***, and, where relevant, whether it has been done on a voluntary basis***;	(i) where the ***information that indicates*** potential online child sexual abuse concerns the dissemination of known or new child sexual abuse material, whether the provider has removed or disabled access to the material; Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 13(1), point (ia)				
315a		***(ia) where applicable, information on the reporting mechanism or on the specific technology that enabled the provider to become aware of the potential online child sexual abuse following measures taken to execute a detection order issued in accordance with Article 7;***		*deleted* Text Origin: CY PCY - drafting
Article 13(1), point (j)				
316	*(j)* whether the provider considers that the report requires urgent action;	(j) whether the provider considers that the report ***involves an imminent threat to the live or safety of a child, or*** requires urgent action;	(j) whether the provider considers that the report requires urgent action;	(j) whether the provider considers that the report requires urgent action; Text Origin: CY PCY - drafting
Article 13(1), point (k)				
317	(k) a reference to this Regulation as the legal basis for reporting.	(k) a reference to this Regulation as the legal basis for reporting.	(k) a reference to this Regulation as the legal basis for reporting.	(k) a reference to this Regulation as the legal basis for reporting. Text Origin: Commission Proposal
Article 13(1a), first subparagraph				
317a			***1a. By deviation from paragraph 1, where the information referred to in Article 12(1) reasonably justifies the conclusion that there is likely to be an imminent threat to the life or safety of a child or when the information indicates ongoing abuse, the report referred to in paragraph 1 of this Article shall be submitted without delay and include:***	***1a. By way of derogation from paragraph 1, where the information referred to in Article 12(1) reasonably justifies the conclusion that there is likely an emergency case, the report referred to in paragraph 1 of this Article shall be submitted without delay and shall include:*** Informal meeting (13.05.): For provisional agreement. Check for

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				consequential amendments. Definition of emergency case in Art. 2. Poss. text: "'emergency case' means a situation in which there is an imminent threat to the life, safety or physical integrity of a child or when the situation indicates ongoing abuse" Text Origin: Council Mandate	
Article 13(1a), first subparagraph, point (a)					
G	317b		***(a) in any event, the information referred to in points (a), (b), (f), (j) and (k) of paragraph 1 of this Article;***	***(a) in any event, the information referred to in points (a), (b), (f), (j) and (k) of paragraph 1 of this Article;*** Text Origin: Council Mandate	G
Article 13(1a), first subparagraph, point (b)					
G	317c		***(b) the information referred to in the other points of paragraph 1 of this Article, only insofar as that information is immediately available and the inclusion thereof in the report does not delay the submission of the report.***	***(b) the information referred to in the other points of paragraph 1 of this Article, only insofar as that information is immediately available and the inclusion thereof in the report does not delay the submission of the report.*** Text Origin: Council Mandate	G
Article 13(1a), second subparagraph					
G	317d		***Where the report referred to in the first subparagaph does not contain all information referred to in paragraph 1 of this Article in accordance with point (b) of the first subparagraph, the provider of***	***Where the report referred to in the first subparagraph does not contain all information referred to in paragraph 1 of this Article in accordance with point (b) of the first subparagraph, the provider of***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			hosting services or of interpersonal communications services concerned shall promptly submit an additional report containing all that information, updated or completed where relevant. That additional report shall include a reference to the initial report submitted in accordance with the first subparagaph and shall indicate which information has been updated or completed.	***hosting services or of interpersonal communications services concerned shall promptly submit an additional report containing all that information, updated or completed where relevant. That additional report shall include a reference to the initial report submitted in accordance with the first subparagaph and shall indicate which information has been updated or completed.*** Text Origin: Council Mandate
Article 13(2)				
318	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained.	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained.	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained.	2.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annex III to improve the template where necessary in view of relevant technological developments or practical experiences gained. Text Origin: Commission Proposal
Section 4				
319	Section 4Removal obligations	Section 4Removal obligations	Section 4Removal obligations	Section 4Removal obligations Text Origin: Commission Proposal
Article 14				
320	Article 14 Removal orders	Article 14 Removal orders	Article 14 Removal orders	Article 14 Removal orders

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 14(1)				
321	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to issue a removal order requiring a provider of hosting services under the jurisdiction of the Member State that designated that Coordinating Authority to remove or disable access in all Member States of one or more specific items of material that, after a diligent assessment, the Coordinating Authority or the courts or other independent administrative authorities referred to in Article 36(1) identified as constituting child sexual abuse material.	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated ~~it or another independent administrative authority of that Member State~~ to issue a removal order requiring a provider of hosting services under the jurisdiction of the Member State that designated that Coordinating Authority to remove or disable access in all Member States of one or more specific items of material that, after a diligent assessment, the Coordinating Authority or the courts or other independent administrative authorities ***subject to judicial validation*** referred to in Article 36(1) identified as constituting child sexual abuse material.	1. ***The competent*** ~~The Coordinating~~ authority of ~~establishment~~***each Member State*** shall have the power to ~~request the competent judicial authority of the Member State that designated it or another independent administrative authority of that Member State to~~ issue a removal order***, subject to any requirements of national law as referred to in paragraph 1a,*** requiring a provider of hosting services ~~under the jurisdiction of the Member State that designated that Coordinating Authority~~ to remove or disable access in all Member States of one or more specific items of material that, after a diligent assessment, ~~the Coordinating Authority or the courts or other independent administrative authorities referred to in Article 36(1)~~ ***is*** identified as constituting child sexual abuse material.	1.The ~~Coordinating~~***competent*** authority of ~~establishment~~***each Member State*** shall have the power ***[***to request ~~the competent~~***a*** judicial authority ~~of the Member State that designated it or another independent administrative authority of that Member State~~***]*** to issue a removal order***, [subject to any requirements of national law as referred to in paragraph 1a],*** requiring ~~a provider of hosting services under the jurisdiction of the Member State that designated that Coordinating Authority to remove or disable~~***the removal or disabling of*** access in all Member States of one or more specific items of material that~~, after a diligent assessment, the Coordinating Authority or the courts or other independent administrative authorities referred to in Article 36(1)~~ ***have been*** identified as constituting child sexual abuse material ***pursuant to Article 36(1)***. Tirlogue (11.05.): Align as closely as possible with TCO Regulation. Text Origin: CY PCY - drafting
Article 14(1a)				

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321a			***1a. By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.***	***1a. [By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.]*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting
Article 14 (1) first subparagraph				
321b		***Removal orders shall be addressed to the service provider acting as controller in accordance with Regulation (EU) 2016/679. By way of derogation, the removal order may be directly addressed to the service provider that stores or otherwise processes the data on behalf of the controller, where:***		***Removal orders shall be directed to the specific provider of hosting services that has the technical and operational ability to act against the specific items of material referred to in paragraph 1.*** Informal meeting (13.05.): For provisional agreement. Text Origin: CY PCY - drafting
Article 14 (1) first subparagraph point a				
321c		***(a) the controller cannot be***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		identified despite reasonable efforts on the part of the issuing authority; or		*deleted* *Informal meeting (13.05.): For provisional agreement.* *Text Origin: CY PCY - drafting*
Article 14 (1) first subparagraph point b				
321d		***(b) addressing the controller might be detrimental to an ongoing investigation.***		*deleted* *Informal meeting (13.05.): For provisional agreement.* *Text Origin: CY PCY - drafting*
Article 14(1a)				
G *321e*		***1a. Before issuing a removal order, the competent judicial authorities shall take all reasonable measures to ensure that executing the removal order does not interfere with activities for the investigation and prosecution of child sexual abuse offences.***		*deleted* *Covered in line 350.* *Text Origin: CY PCY - drafting* G
Article 14(2)				
322	*2.*The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof.	2.The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof***, *except where the removal order indicates a shorter period*. *For micro and small enterprises, the removal order shall allow additional time, proportionate to the size and the resources of the provider, but in any case no longer***	2.The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof. ***The provider shall take the necessary measures to ensure that it is capable to reinstate the material or access thereto in accordance with Article 15(1a).***	2.The provider shall execute the removal order as soon as possible and in any event within 24 hours of receipt thereof. ***Where the issuing authority has not previously issued a removal order to a hosting service provider, it shall provide that hosting service provider with information on the***

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		than 3 working days.		***applicable procedures and deadlines, at least 12 hours before issuing the removal order.*** ***If the order is reversed as a result of the redress procedure in accordance with Article 15(1), the provider shall take the necessary measures to reinstate the material or access thereto without undue delay. This is without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.*** Informal meeting (13.05.): For provisional agreement. Text Origin: CY PCY - drafting
Article 14(3)				
G	323	3.The competent judicial authority or the independent administrative authority shall issue a removal order using the template set out in Annex IV. Removal orders shall include:	3.The competent judicial ~~*authority or the independent administrative*~~ authority shall issue a removal order using the template set out in Annex IV. Removal orders shall include:	3.~~*The competent judicial authority or the independent administrative authority shall issue*~~ A removal order ***shall be issued*** using the template set out in Annex IV. Removal orders shall include:	3.~~*The competent judicial authority or the independent administrative authority shall issue*~~ A removal order ***shall be issued*** using the template set out in Annex IV. Removal orders shall include: Text Origin: CY PCY - drafting	G
Article 14(3), point (a)				
G	324	(a) identification details of the judicial or independent administrative authority issuing the removal order and authentication of the removal order by that authority;	(a) identification details of the judicial ~~*or independent administrative authority*~~ issuing the removal order and authentication of the removal order by that authority;	(a) identification details of the ~~*judicial or independent administrative*~~ authority issuing the removal order and authentication of the removal order by that authority;	(a) identification details of the ~~*judicial or independent administrative*~~ authority issuing the removal order and authentication of the removal order by that authority;	G

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				Text Origin: CY PCY - drafting
Article 14(3), point (b)				
325	(b) the name of the provider and, where applicable, of its legal representative;	(b) the name of the provider and, where applicable, of its legal representative;	(b) the name of the provider and, where applicable, of its legal representative;	(b) the name of the provider and, where applicable, of its legal representative; Text Origin: Commission Proposal
Article 14(3), point (c)				
326	(c) the specific service for which the removal order is issued;	(c) the specific service for which the removal order is issued;	(c) the specific service ~~for~~ ***in respect of*** which the removal order is issued;	(c) the specific service ~~for~~ ***in respect of*** which the removal order is issued; Text Origin: CY PCY - drafting
Article 14(3), point (d)				
327	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued and in particular why the material constitutes child sexual abuse material;	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued and in particular why the material constitutes child sexual abuse material;	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued ~~and in particular why the material constitutes child sexual abuse material;~~	(d) a sufficiently detailed statement of reasons explaining why the removal order is issued and in particular why the material constitutes child sexual abuse material; Text Origin: CY PCY - drafting
Article 14(3), point (e)				
328	(e) an exact uniform resource locator and, where necessary, additional information for the identification of the child sexual abuse material;	(e) an exact uniform resource locator and, where necessary, additional information for the identification of the child sexual abuse material;	(e) ~~an exact uniform resource locator and, where necessary, additional~~***clear*** information ~~for the identification of~~ ***enabling the provider to identify and locate*** the child sexual abuse material;	(e) an exact uniform resource locator and, where necessary, additional information for the identification of the child sexual abuse material; Text Origin: CY PCY - drafting
Article 14(3), point (f)				
329	(f) where applicable, the	(f) where applicable, the	(f) where applicable, the	(f) where applicable, the

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	information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c);	information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c);	information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c);	information about non-disclosure during a specified time period, in accordance with Article 15(4), point (c); Text Origin: Commission Proposal
Article 14(3), point (fa)				
329a			***(fa) the information necessary for the application, where relevant, of paragraphs 5, 6 and 7;***	*deleted* *Text Origin: CY PCY - drafting*
Article 14(3), point (g)				
330	*(g)* a reference to this Regulation as the legal basis for the removal order;	(g) a reference to ***Article 14 of*** this Regulation as the legal basis for the removal order;	(g) a reference to this Regulation as the legal basis for the removal order;	(g) a reference to this Regulation as the legal basis for the removal order; Text Origin: CY PCY - drafting
Article 14(3), point (h)				
331	(h) the date, time stamp and electronic signature of the judicial or independent administrative authority issuing the removal order;	(h) the date, time stamp and electronic signature of the judicial ~~*or independent administrative*~~ authority issuing the removal order;	(h) the date, time stamp and electronic signature of the ~~*judicial or independent administrative*~~***competent*** authority issuing the removal order;	(h) the date, time stamp and electronic signature of the ~~*judicial or independent administrative*~~ authority issuing the removal order; Text Origin: CY PCY - drafting
Article 14(3), point (i)				
332	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the removal order, including information about redress to a court and about the time periods applicable to such redress. Text Origin: Commission

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				Proposal
Article 14(4), first subparagraph				
333	4.The judicial authority or the independent administrative issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	4.The judicial authority ~~or the independent administrative~~ issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	4.The ~~judicial~~ ***competent*** authority ~~or the independent administrative~~ issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	4.The ~~judicial~~ authority ~~or the independent administrative~~ issuing the removal order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24. Text Origin: CY PCY - drafting
Article 14(4), second subparagraph				
334	It shall transmit the removal order to the point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	It shall transmit the removal order to the point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	~~It shall transmit~~ The removal order ***shall be transmitted, where applicable in accordance with Article 14a,*** to the ***the provider's*** point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority of ~~establishment~~***the Member State whose authority issued the order*** and to the EU Centre, through the system established in accordance with Article 39(2).	~~It shall transmit~~ The removal order ***shall be transmitted, [where applicable in accordance with Article 14a],*** to the ***the provider's*** point of contact referred to in Article 23(1) by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order, to the Coordinating Authority ***[of the Member State whose authority issued the order]*** ~~of establishment~~ and to the EU Centre, through the system established in accordance with Article 39(2). ITM (4.05): Provisionally agreed except bracketed part. Linked to Art. 14a (cross-border removal orders), Text Origin: CY PCY - drafting

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Article 14(4), third subparagraph				
G 335	It shall draft the removal order in the language declared by the provider pursuant to Article 23(3).	It shall draft the removal order in the language declared by the provider pursuant to Article 23(3).	~~*It shall draft*~~ The removal order ***shall be transmitted in any of the official languages*** ~~*in the language*~~ declared by the provider pursuant to Article 23(3).	~~*It shall draft*~~ The removal order ***shall be transmitted in any of the official languages*** ~~*in the language*~~ declared by the provider pursuant to Article 23(3)***, or in any of the official languages of the authority issuing the order provided that it is accompanied by a translation of at least the most important elements necessary for the execution of the removal order into any of the official languages declared by the provider in accordance with article 23(3)***. Text Origin: CY PCY - drafting
Article 14(4), forth subparagraph				
G 335a			***The order may also be transmitted in any of the official languages of the Member State issuing the order, provided that it is accompanied by a translation of at least the most important elements necessary for the execution of the order into any of the official languages declared by the provider in accordance with article 23(3).***	Covered in 335.
Article 14(5), first subparagraph				
G 336	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or	5.If the provider cannot execute the removal order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or

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	operational reasons, it shall, without undue delay, inform the Coordinating Authority of establishment of those grounds, using the template set out in Annex V.	operational reasons, it shall, without undue delay, inform the Coordinating Authority of establishment of those grounds, using the template set out in Annex V.	operational reasons, it shall, without undue delay, inform the ~~Coordinating~~ authority ~~of establishment~~***issuing the order*** of those grounds, using the template set out in Annex V.	operational reasons, it shall, without undue delay, inform the ~~Coordinating~~ authority ~~of establishment~~***issuing the order*** of those grounds, using the template set out in Annex V. Text Origin: CY PCY - drafting
Article 14(5), second subparagraph				
337	The time period set out in paragraph 1 shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist.	The time period set out in paragraph 1 shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist.	The time period set out in paragraph ~~1~~***2*** shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist.	The time period set out in paragraph ~~1~~***2*** shall start to run as soon as the reasons referred to in the first subparagraph have ceased to exist. Text Origin: CY PCY - drafting
Article 14(6), first subparagraph				
338	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex V.	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex V.	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification ~~to the Coordinating~~ ***from the*** authority ~~of establishment,~~ ***issuing the order*** using the template set out in Annex V.	6.If the provider cannot execute the removal order because it contains manifest errors or does not contain sufficient information for its execution, it shall, without undue delay, request the necessary clarification ~~to the Coordinating~~ ***from the*** authority ~~of establishment,~~ ***issuing the order*** using the template set out in Annex V. Text Origin: CY PCY - drafting
Article 14(6), second subparagraph				
339	The time period set out in paragraph 1 shall start to run as soon as the provider has received the necessary clarification.	The time period set out in paragraph 1 shall start to run as soon as the provider has received the necessary clarification.	The time period set out in paragraph ~~1~~***2*** shall start to run as soon as the provider has received the necessary clarification.	The time period set out in paragraph ~~1~~***2*** shall start to run as soon as the provider has received the necessary clarification.

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				Text Origin: CY PCY - drafting
Article 14(7)				
340	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the Coordinating Authority of establishment and the EU Centre, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof.	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the Coordinating Authority of establishment and the EU Centre, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof.	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the ~~*Coordinating*~~ authority ~~*of establishment and the EU Centre*~~***issuing the order***, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof.	7.The provider shall, without undue delay and using the template set out in Annex VI, inform the ~~*Coordinating*~~ authority ~~*of establishment*~~***issuing the order*** and the EU Centre, of the measures taken to execute the removal order, indicating, in particular, whether the provider removed the child sexual abuse material or disabled access thereto in all Member States and the date and time thereof. Text Origin: CY PCY - drafting
Article 14(8)				
341	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	8.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes IV, V and VI where necessary to improve the templates in view of relevant technological developments or practical experiences gained. Text Origin: Commission Proposal
Article 14(8a)				
341a		***8a. Where Europol or the national competent law enforcement authorities or the EU Centre pursuant to Article 49(2), become aware of the presence of child***		*deleted* *Refer to Art. 32 and 49.*

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		sexual abuse material on a hosting service, they shall notify the competent Coordinating Authority of its exact uniform resource locator, and the Coordinating Authority shall request a removal order where the conditions of paragraph 1 and 1a are met.		Text Origin: EP Mandate
Article 14a				
341b			***Article 14a*** ***Procedure for cross-border removal orders***	***Article 14a*** ***Procedure for cross-border removal orders*** Trilogue (11.05.): Further technical work. Text Origin: CY PCY - drafting
Article 14a(1)				
341c			***1.Subject to Article 14, where the provider of hosting services does not have its main establishment or legal representative in the Member State of the authority that issued the removal order, that authority shall, simultaneously, submit through the Coordinating Authority a copy of the removal order to the Coordinating Authority of establishment.***	***1.Subject to Article 14, where the provider of hosting services does not have its main establishment or legal representative in the Member State of the authority that issued the removal order, that authority shall, simultaneously, submit through the Coordinating Authority a copy of the removal order to the Coordinating Authority of establishment.*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting

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Article 14a(2), first subparagraph				
341d			***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the removal order in accordance with paragraph 1, scrutinise the removal order to determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.***	***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the removal order in accordance with paragraph 1, scrutinise the removal order to determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting
Article 14a(2), second subparagraph				
341e			***Where that Coordinating Authority finds such an infringement, it shall, within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.***	***Where that Coordinating Authority finds such an infringement, it shall, within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting
Article 14a(3)				
341f			***3.Where a hosting service provider receives a removal order as referred to in paragraph 1, it shall take the measures provided for in Article 14 as well as the necessary measures to be able to reinstate the content or***	***3.Where a hosting service provider receives a removal order as referred to in paragraph 1, it shall take the measures provided for in Article 14 as well as the necessary measures to be able to reinstate the content or***

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			access thereto, in accordance with paragraph 4 of this Article.	***access thereto, in accordance with paragraph 4 of this Article.*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting
Article 14a(4)				
341g			***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of hosting services concerned shall without undue delay reinstate the content or access thereto, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of hosting services concerned shall without undue delay reinstate the content or access thereto, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting
Article 14a(5), first subparagraph				
341h			***5.By way of derogation from Article 14(1) and from paragraphs 1 and 2 of this Article, a Member State in which the provider of hosting services has its main establishment or in which its legal representative resides or is established may decide that removal orders issued by the competent authorities of other Member States are to be transmitted through the Coordinating Authority***	***5.By way of derogation from Article 14(1) and from paragraphs 1 and 2 of this Article, a Member State may decide that removal orders addressed to providers established on its territory and issued by the competent authorities of another Member State shall be transmitted through the Coordinating Authority of establishment. That Member State shall inform the Commission***

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			of that Member State. That Member State shall inform the Commission of its decision and of its reasons therefor. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.	***of its decision and of its reasons therefor. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.*** Trilogue (11.05.): For further discussion at technical level. Informal (18.05.): Text proposal for simplification. DQL review Text Origin: Council Mandate
Article 14a(5), second subparagraph				
341i			***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a removal order, as referred to in the first subparagraph, transmit that removal order to the provider of hosting services, unless it adopts a reasoned decision within that 72 hour period that that removal order seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of hosting services.***	***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a removal order, as referred to in the first subparagraph, transmit that removal order to the provider of hosting services, unless it adopts a reasoned decision within that 72 hour period that that removal order seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of hosting services.*** Trilogue (11.05.): For further discussion at technical level.

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				DQL review Text Origin: Council Mandate
Article 14a(6)				
341j			***6.The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second subparagraph of paragraph 2 or the second subparagraph of paragraph 5, inform the Coordinating Authority of the Member State whose authority issued the removal order of its intention to adopt the decision and of the reasons therefor.***	***6.The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second subparagraph of paragraph 2 [or the second subparagraph of paragraph 5], inform the Coordinating Authority of the Member State whose authority issued the removal order of its intention to adopt the decision and of the reasons therefor.*** Trilogue (11.05.): Further discussion at technical level. Text Origin: CY PCY - drafting
Article 14a(7), first subparagraph				
341k			***7.Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay, transmit that decision, to the Coordinating Authority of the Member State whose authority issued the removal order, the provider of hosting services and the EU Centre.***	***7.Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay, transmit that decision, to the Coordinating Authority of the Member State whose authority issued the removal order, the provider of hosting services and the EU Centre.*** Trilogue (11.05.): Further discussion at

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				technical level. Text Origin: CY PCY - drafting
Article 14a(7), second subparagraph				
3411			***Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 5, it shall, without delay, transmit that decision to the Coordinating Authority of the Member State whose authority issued the removal order and the EU Centre.***	Trilogue (11.05.): Further discussion at technical level.
Article 15				
G 342	Article 15 Redress and provision of information	Article 15 Redress and provision of information	Article 15 Redress and provision of information	Article 15 Redress and provision of information Text Origin: Commission Proposal
Article 15(1)				
G 343	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the competent judicial authority or independent administrative authority that issued the removal order.	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the competent judicial authority ~~*or independent administrative authority*~~ that issued the removal order.	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order.	1.Providers of hosting services that have received a removal order issued in accordance with Article 14, as well as the users who provided the material, shall have the right to an effective redress. That right shall include the right to challenge such a removal order before the courts of the Member State of the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order.

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				Text Origin: CY PCY - drafting
Article 15(1a)				
G 343a			***1a. If the order is reversed as a result of a redress procedure, the provider shall without undue delay reinstate the material or access thereto, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	*deleted* *Text Origin: CY PCY - drafting*
Article 15(2), first subparagraph				
344	*2.*When the removal order becomes final, the competent judicial authority or independent administrative authority that issued the removal order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the removal order becomes final, the competent judicial authority ~~*or independent administrative authority*~~ that issued the removal order shall, without undue delay, ~~*transmit a copy thereof to*~~***inform*** the Coordinating Authority of establishment ***thereof***. The Coordinating Authority of establishment shall then, without undue delay, ~~*transmit a copy thereof to*~~***inform the EU Centre and*** all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the removal order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order shall, without undue delay, transmit a copy thereof ***and copies of the information it has received pursuant to Article 14(5) to (7)*** to the Coordinating Authority of ~~*establishment. The*~~***the Member State of the authority issuing the removal order . That*** Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, transmit ~~*a copy*~~ ***copies*** thereof to all other Coordinating Authorities ***and to the EU Centre*** through the system established in accordance with Article 39(2).	2.When the removal order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the removal order shall, without undue delay, transmit a copy thereof ***and copies of the information it has received pursuant to Article 14(5) to (7)*** to the Coordinating Authority of ~~*establishment. The*~~***[the Member State of the authority issuing the removal order]. That*** Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, transmit ~~*a copy*~~***copies*** thereof to all other Coordinating Authorities ***and to the EU Centre*** through the system established in accordance with Article 39(2). ITM (4.05): Provisionally agreed through written exchange except bracketed part. Linked to Art. 14a(cross-border

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				removal orders). Text Origin: CY PCY - drafting
Article 15(2), second subparagraph				
345	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	For the purpose of the first subparagraph, a removal order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal. Text Origin: Commission Proposal
Article 15(3)				
346	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following:	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following:	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following:	3.Where a provider removes or disables access to child sexual abuse material pursuant to a removal order issued in accordance with Article 14, it shall without undue delay, inform the user who provided the material of the following: Text Origin: Commission Proposal
Article 15(3), point (a)				
347	(a) the fact that it removed the material or disabled access thereto;	(a) the fact that it removed the material or disabled access thereto;	(a) the fact that it removed the material or disabled access thereto;	(a) the fact that it removed the material or disabled access thereto; Text Origin: Commission Proposal
Article 15(3), point (b)				
348	(b) the reasons for the removal or	(b) the reasons for the removal or	(b) the reasons for the removal or	(b) the reasons for the removal or

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	disabling, providing a copy of the removal order upon the user's request;	disabling, providing a copy of the removal order ~~*upon the user's request*~~;	disabling, providing a copy of the removal order upon the user's request;	disabling, providing a copy of the removal order upon the user's request; Text Origin: CY PCY - drafting
Article 15(3), point (c)				
349	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34.	(c) the users' rights of judicial redress referred to in paragraph 1 and to submit complaints to the Coordinating Authority in accordance with Article 34. Text Origin: Commission Proposal
Article 15(3a), first subparagraph				
349a			***3a. The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.***	***3a. The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable time-frame, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.*** Text Origin: CY PCY - drafting
Article 15(4), first subparagraph				
350	4.The Coordinating Authority of establishment may request, when requesting the judicial authority or independent administrative authority issuing the removal order, and after	4.The Coordinating Authority of establishment may request, when requesting the judicial ~~*authority or independent administrative*~~ authority issuing the removal order, and after	4.The ~~*Coordinating*~~***issuing*** authority ~~*of establishment may request, when requesting the judicial authority or independent administrative authority issuing the removal order*~~ ***may***	4.The ~~*Coordinating*~~***issuing*** authority ~~*of establishment may request, when requesting the judicial authority or independent administrative authority issuing the removal order*~~ ***may***

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	having consulted with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material, where and to the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences.	having consulted with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material, where and to the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences~~.~~	***decide*** ~~*and*~~ after having consulted ***if necessary*** with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material, where and to the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse ***or related criminal*** offences.	***decide*** ~~*and*~~ after having consulted ***if necessary*** with relevant public authorities, that the provider is not to disclose any information regarding the removal of or disabling of access to the child sexual abuse material, where and to the extent necessary to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse ***or related criminal*** offences. Text Origin: CY PCY - drafting
Article 15(4), second subparagraph				
351	In such a case:	In such a case:	In such a case:	In such a case: Text Origin: Commission Proposal
Article 15(4), second subparagraph, point (a)				
352	(a) the judicial authority or independent administrative authority issuing the removal order shall set the time period not longer than necessary and not exceeding six weeks, during which the provider is not to disclose such information;	(a) the judicial ~~*authority or independent administrative*~~ authority issuing the removal order shall set the time period not longer than necessary and not exceeding six weeks, during which the provider is not to disclose such information;	(a) the ~~*judicial authority or independent administrative*~~ authority issuing the removal order shall ~~*set the*~~***inform the provider of its decision specifying the applicable*** time period ~~*not*~~***that shall be no*** longer than necessary and not exceeding ~~*six*~~***twelve*** weeks, during which the provider is not to disclose such information;	(a) the ~~*judicial authority or independent administrative*~~ authority issuing the removal order shall ~~*set the*~~***inform the provider of its decision specifying the applicable*** time period ~~*not*~~***that shall be no*** longer than necessary and not exceeding ~~*six*~~***nine*** weeks, during which the provider is not to disclose such information; Trilogue (11.05.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 15(4), second subparagraph, point (b)				

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353	(b) the obligations set out in paragraph 3 shall not apply during that time period;	(b) the obligations set out in paragraph 3 shall not apply during that time period;	(b) the obligations set out in paragraph 3 shall not apply during that time period;	(b) the obligations set out in paragraph 3 shall not apply during that time period; Text Origin: Commission Proposal
Article 15(4), second subparagraph, point (c)				
354	(c) that judicial authority or independent administrative authority shall inform the provider of its decision, specifying the applicable time period.	(c) that judicial ~~authority or independent administrative~~ authority shall inform the provider of its decision, specifying the applicable time period.	~~(c) that judicial authority or independent administrative authority shall inform the provider of its decision, specifying the applicable time period.~~	*deleted* Text Origin: CY PCY - drafting
Article 15(4), third subparagraph				
355	That judicial authority or independent administrative authority may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, that judicial authority or independent administrative authority shall inform the provider of its decision, specifying the applicable time period. Article 14(3) shall apply to that decision.	That judicial ~~authority or independent administrative~~ authority may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, that judicial authority ~~or independent administrative authority~~ shall inform the provider of its decision, specifying the applicable time period. Article 14(3) shall apply to that decision.	~~That judicial~~ ***The*** authority ~~or independent administrative authority~~***issuing the removal order*** may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, ~~that judicial authority or independent administrative~~ ***the issuing*** authority shall inform the provider of its decision, specifying the applicable time period. ~~Article 14(3) shall apply to that decision.~~	~~That judicial~~ ***The*** authority ~~or independent administrative authority~~***issuing the removal order*** may decide to extend the time period referred to in the second subparagraph, point (a), by a further time period of maximum six weeks, where and to the extent the non-disclosure continues to be necessary. In that case, ~~that judicial authority or independent administrative~~ ***the issuing*** authority shall inform the provider of its decision, specifying the applicable time period. Article 14(3) shall apply to that decision. Text Origin: CY PCY - drafting
Article 15(4a)				
355a			***4a. Where Article 14a(5) applies, the issuing authority shall inform the provider of the decision referred***	***4a. Where Article 14a(5) applies, the issuing authority shall inform the provider of the decision referred***

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			to in paragraph 4 through the Coordinating Authority of establishment.	***to in paragraph 4 through the Coordinating Authority of establishment.*** Trilogue (11.05.): For further discussion. Text Origin: Council Mandate
Section 5				
356	Section 5 Blocking obligations	Section 5 Blocking obligations	Section 5 Blocking obligations	Section 5 Blocking obligations Text Origin: Commission Proposal
Article 16				
357	Article 16 Blocking orders	Article 16 Blocking orders	Article 16 Blocking orders	Article 16 Blocking orders Text Origin: Commission Proposal
Article 16(1)				
358	1.The Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it or an independent administrative authority of that Member State to issue a blocking order requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users from accessing known child sexual abuse material indicated by all uniform resource locators on the list	1.***As a measure of last resort, when the known child sexual abuse material cannot be reasonable removed at source,*** the Coordinating Authority of establishment shall have the power to request the competent judicial authority of the Member State that designated it ~~*or an independent administrative authority of that Member State*~~ to issue a blocking order requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable	1.The ~~*Coordinating*~~***competent*** authority of establishment~~-~~ shall have the power ~~*to request the competent judicial authority of the Member State that designated it or an independent administrative authority of that Member State*~~ to issue a blocking order***, subject to any requirements of national law as referred to in paragraph 1a,*** requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users	1.The ~~*Coordinating*~~***[competent*** authority of establishment~~-~~***[*** shall have the power to ***[***request the competent judicial authority of the Member State ~~*that designated it or an independent administrative authority of that Member State*~~***]*** to issue a blocking order***, [subject to any requirements of national law as referred to in paragraph 1a],*** requiring a provider of internet access services under the jurisdiction of that Member State to take reasonable measures to prevent users

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	of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.	measures to prevent users from accessing known child sexual abuse material indicated by ~~all~~***the exact*** uniform resource locators on the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.	from accessing ~~*known*~~ child sexual abuse material ~~*indicated by all uniform resource locators on*~~***. The competent authorities may make use of*** the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.	from accessing ***[***known***]*** child sexual abuse material ***[***indicated by ~~all~~***the exact*** uniform resource ~~*locators on*~~***locators/The competent authorities may make use of]*** the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre. Trilogue (11.05.): Further discussion at technical level. Informal (18.05.): CNS to propose text. Text Origin: CY PCY - drafting
Article 16(1a)				
358a			***1a. By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.***	***1a. [By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the information received publicly available and maintain this information updated.]*** Trilogue (11.05.): Further discussion at

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				technical level. Text Origin: CY PCY - drafting
Article 16(1b)				
358b			***1b. The provider shall execute the blocking order as soon as possible and in any event within a reasonable time period set by the issuing authority. The provider shall take the necessary measures to ensure that it is capable of reinstating access in accordance with Article 18(1a).***	***1b. [The provider shall execute the blocking order as soon as possible and in any event within a reasonable time period set by the issuing authority. The provider shall take the necessary measures to ensure that it is capable of reinstating access in accordance with Article 18(1a).]*** ITM (4.05): For further discussion. Text Origin: CY PCY - drafting
Article 16(2), first subparagraph				
359	2.The Coordinating Authority of establishment shall, before requesting the issuance of a blocking order, carry out all investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.	2.The Coordinating Authority of establishment shall, before requesting the issuance of a blocking order, carry out all investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.	~~*2.The Coordinating Authority of establishment shall, before requesting the issuance of a blocking order, carry out all investigations and assessments necessary to determine whether the conditions of paragraph 4 have been met.*~~	*deleted* *Informal (18.05.): For provisional agreement.*
Article 16(2), second subparagraph				
360	To that end, it shall, where appropriate:	To that end, it shall, where appropriate:	~~*To that end, it shall, where appropriate:*~~	*deleted* *Informal (18.05.): For provisional agreement.*
Article 16(2), second subparagraph, point (a)				
361	*(a)* verify that, in respect of all or a	(a) verify that~~*, in respect of all or a*~~	~~*(a) verify that, in respect of all or a*~~	

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	representative sample of the uniform resource locators on the list referred to in paragraph 1, the conditions of Article 36(1), point (b), are met, including by carrying out checks to verify in cooperation with the EU Centre that the list is complete, accurate and up-to-date;	~~*representative sample of the uniform resource locators on the list referred to in paragraph 1*~~, the conditions of Article 36(1), point (b), are met, including by carrying out checks to verify in cooperation with the EU Centre that the list is complete, accurate and up-to-date;	~~*representative sample of the uniform resource locators on the list referred to in paragraph 1, the conditions of Article 36(1), point (b), are met, including by carrying out checks to verify in cooperation with the EU Centre that the list is complete, accurate and up-to-date;*~~	*deleted* *Informal (18.05.): For provisional agreement.*
Article 16(2), second subparagraph, point (b)				
362	*(b)* require the provider to submit, within a reasonable time period set by that Coordinating Authority, the necessary information, in particular regarding the accessing or attempting to access by users of the child sexual abuse material indicated by the uniform resource locators, regarding the provider's policy to address the risk of dissemination of the child sexual abuse material and regarding the provider's financial and technological capabilities and size;	(b) require the provider to submit, within a reasonable time period set by that Coordinating Authority, ~~*the*~~***any*** necessary information, in particular regarding the ***apparent*** accessing or attempting to access by users of the child sexual abuse material indicated by the uniform resource locators~~*, regarding the provider's policy to address the risk of dissemination of the child sexual abuse material and regarding the provider's financial and technological capabilities and size*~~;	~~*(b) require the provider to submit, within a reasonable time period set by that Coordinating Authority, the necessary information, in particular regarding the accessing or attempting to access by users of the child sexual abuse material indicated by the uniform resource locators, regarding the provider's policy to address the risk of dissemination of the child sexual abuse material and regarding the provider's financial and technological capabilities and size;*~~	*deleted* *Informal (18.05.): For provisional agreement.*
Article 16(2), second subparagraph, point (c)				
363	*(c)* request the EU Centre to provide the necessary information, in particular explanations and assurances regarding the accuracy of the uniform resource locators in indicating child sexual abuse material, regarding the quantity and nature of that material and regarding the verifications by the EU Centre and the audits referred to in Article	(c) request the EU Centre to provide the necessary information, in particular explanations and assurances regarding the accuracy of the uniform resource locators in indicating ***known*** child sexual abuse material, regarding the quantity and nature of that material and regarding the verifications by the EU Centre and the audits referred to in Article	~~*(c) request the EU Centre to provide the necessary information, in particular explanations and assurances regarding the accuracy of the uniform resource locators in indicating child sexual abuse material, regarding the quantity and nature of that material and regarding the verifications by the EU Centre and the audits referred to*~~	*deleted* *Informal (18.05.): For provisional agreement.*

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	36(2) and Article 46(7), respectively;	36(2) and Article 46(7), respectively;	~~*in Article 36(2) and Article 46(7), respectively;*~~	
Article 16(2), second subparagraph, point (d)				
364	*(d)* request any other relevant public authority or relevant experts or entities to provide the necessary information.	(d) request any other relevant public authority or relevant experts or entities to provide the necessary information.	~~*(d) request any other relevant public authority or relevant experts or entities to provide the necessary information.*~~	*deleted* *Informal (18.05.): For provisional agreement.*
Article 16(3)				
365	*3.*The Coordinating Authority of establishment shall, before requesting the issuance of the blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority.	3.The Coordinating Authority of establishment shall, before requesting the issuance of the blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority.	~~*3.The Coordinating Authority of establishment shall, before requesting the issuance of the blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority.*~~	3.The Coordinating Authority of establishment shall, before requesting the issuance of the blocking order, inform the provider of its intention to request the issuance of the blocking order, specifying the main elements of the content of the intended blocking order and the reasons to request the blocking order. It shall afford the provider an opportunity to comment on that information, within a reasonable time period set by that Coordinating Authority. Informal (18.05): CNS to check. Text Origin: EP Mandate
Article 16(4), first subparagraph				
G 366	4.The Coordinating Authority of establishment shall request the issuance of the blocking order, and the competent judicial authority or independent authority shall issue the	4.The Coordinating Authority of establishment ~~*shall*~~***may*** request the issuance of the blocking order, and the competent judicial authority ~~*or independent authority*~~ shall issue the	4.~~*The Coordinating Authority of establishment shall request the issuance of the*~~ ***A*** blocking order~~*, and the competent judicial authority or independent authority*~~ shall ~~*issue*~~	4.~~*The Coordinating Authority of establishment shall request the issuance of the*~~ ***A*** blocking order~~*, and the competent judicial authority or independent authority*~~ shall ~~*issue*~~ G

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	blocking order, where it considers that the following conditions are met:	blocking order, where it considers that ***all*** the following conditions are ***simultaneously*** met:	~~*the blocking order,*~~***be issued*** where ~~*it considers that*~~ the following conditions are met:	~~*the blocking order,*~~***be issued*** where ~~*it considers that*~~***all of*** the following conditions are met: ITM (4.05): Provisionally agreed. Text Origin: CY PCY - drafting
Article 16(4), first subparagraph, point (a)				
367	(a) there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to access the child sexual abuse material indicated by the uniform resource locators;	(a) ~~*there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to access*~~ the child sexual abuse material ~~*indicated by the uniform resource locators*~~***cannot reasonable be removed at source and the material is still online***;	(a) ~~*there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to*~~***other equally effective and less intrusive measures than blocking cannot be taken to prevent*** access ~~*the*~~***to*** child sexual abuse material ~~*indicated by the uniform resource locators*~~***or if it is likely that such measure will fail***;	(a) ~~*there is evidence of the service having been used during the past 12 months, to an appreciable extent, for accessing or attempting to*~~***other equally effective and less intrusive measures than blocking cannot be taken to prevent*** access ~~*the*~~***to*** child sexual abuse material ~~*indicated by the uniform resource locators,*~~***;*** Trilogue (11.05.): Provisionally agreed. Text Origin: CY PCY - drafting
Article 16(4), first subparagraph, point (b)				
368	(b) the blocking order is necessary to prevent the dissemination of the child sexual abuse material to users in the Union, having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination;	(b) the blocking order is necessary to prevent the dissemination of the child sexual abuse material to users in the Union, having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination;	(b) the blocking order is necessary to prevent the dissemination of ~~*the*~~ child sexual abuse material ~~*to users*~~ in the Union, having regard ~~*in particular to the quantity and nature of that material,*~~ ***to*** the need to protect the rights of the victims ~~*and the existence and implementation by the provider of a policy to address the risk of such dissemination*~~;	(b) the blocking order is necessary to prevent the dissemination of the child sexual abuse material to users in the Union~~*, having regard in particular to the quantity and nature of that material, the need to protect the rights of the victims and the existence and implementation by the provider of a policy to address the risk of such dissemination*~~; See recital 32.

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				Text Origin: CY PCY - drafting
Article 16(4), first subparagraph, point (c)				
369	(c) the uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material;	(c) ***the exact*** ~~the~~ uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material;	~~(c) the uniform resource locators indicate, in a sufficiently reliable manner, child sexual abuse material;~~	ITM (4.05): For further discussion (Linked to discussion on scope, line 358).
Article 16(4), first subparagraph, point (d)				
G 370	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business.	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business~~.~~ ***:***	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business.	(d) the reasons for issuing the blocking order outweigh negative consequences for the rights and legitimate interests of all parties affected, having regard in particular to the need to ensure a fair balance between the fundamental rights of those parties, including the exercise of the users' freedom of expression and information and the provider's freedom to conduct a business. G Text Origin: EP Mandate
Article 16(4), first subparagraph, point (da)				
G 370a		***(da) it is technically feasible for the provider, without undermining web traffic encryption and without collateral blocking of access to lawful content accessible via other uniform resource locators.***		*deleted* *EP AM to be covered in a recital. Linked to line 392a.* G Text Origin: CY PCY - drafting
Article 16(4), second subparagraph				
371	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and	When assessing whether the conditions of the first subparagraph have been met, account shall be taken of all relevant facts and

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	circumstances of the case at hand, including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3.	circumstances of the case at hand, including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3.	circumstances of the case at hand~~, including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3~~ .	circumstances of the case at hand*I*, including any information obtained pursuant to paragraph 2 and the views of the provider submitted in accordance with paragraph 3*I*. ITM (4.05): For further discussion (linked to line 359 and following). Text Origin: CY PCY - drafting
Article 16(5)				
372	5.The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial or independent administrative authority when issuing the blocking order, shall:	5.The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial ~~or independent administrative authority~~ when issuing the blocking order, shall:	5.~~The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial or independent administrative authority when issuing the~~*A* blocking order~~,~~ shall:	5.~~The Coordinating Authority of establishment when requesting the issuance of blocking orders, and the competent judicial or independent administrative authority when issuing the~~*A* blocking order~~,~~ shall: ITM (4.05): For further discussion Text Origin: CY PCY - drafting
Article 16(5), point (a)				
G 373	(a) specify effective and proportionate limits and safeguards necessary to ensure that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary;	(a) specify effective and proportionate limits and safeguards necessary to ensure that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary;	(a) specify ~~effective and proportionate~~ limits ~~and safeguards~~ necessary to ensure *that a blocking order is targeted and* that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary;	(a) specify effective and proportionate limits ~~and safeguards~~ necessary to ensure *that a blocking order is targeted and* that any negative consequences referred to in paragraph 4, point (d), remain limited to what is strictly necessary; Text Origin: CY PCY - drafting
Article 16(5), point (b)				
G 374	(b) subject to paragraph 6, ensure that the period of application	(b) subject to paragraph 6, ensure that the period of application	(b) subject to paragraph 6, ensure that the period of application	(b) subject to paragraph 6, ensure that the period of application

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	remains limited to what is strictly necessary.	remains limited to what is strictly necessary.	remains limited to what is strictly necessary.	remains limited to what is strictly necessary. Text Origin: Commission Proposal
Article 16(6), first subparagraph				
G 375	6.The Coordinating Authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date.	6.The Coordinating Authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date.	6.The ~~*Coordinating*~~***issuing*** authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date.	6.The ~~*Coordinating*~~***issuing*** authority shall specify in the blocking order the period during which it applies, indicating the start date and the end date. Text Origin: CY PCY - drafting
Article 16(6), second subparagraph				
G 376	The period of application of blocking orders shall not exceed five years.	The period of application of blocking orders shall not exceed five years***, but it can be renewed afterwards if necessary***.	The period of application of blocking orders shall not exceed five years.	The period of application of blocking orders shall not exceed five years***, but it can be extended if necessary and justified***. Text Origin: CY PCY - drafting
Article 16(7), first subparagraph				
G 377	7.In respect of the blocking orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating Authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders occurred and, in particular, whether the conditions of paragraph 4 continue to be met.	7.In respect of the blocking orders that the competent judicial ~~*authority or independent administrative*~~ authority issued at its request, the Coordinating Authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders occurred and, in particular, whether the conditions of paragraph 4 continue to be met.	7.~~*In respect of the blocking orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating*~~***The issuing*** authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders ***have*** occurred and~~*, in particular,*~~ whether the conditions of paragraph 4 continue to be met.	7.~~*In respect of the blocking orders that the competent judicial authority or independent administrative authority issued at its request, the Coordinating*~~***The issuing*** authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the blocking orders ***have*** occurred and~~*, in particular,*~~ whether the conditions of paragraph 4 continue to be met.

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				Text Origin: CY PCY - drafting
Article 16(7), second subparagraph				
378	That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the blocking order the modification or revocation of such order, where necessary in the light of the outcome of that assessment or to take account of justified requests or the reports referred to in Article 18(5) and (6), respectively. The provisions of this Section shall apply to such requests, mutatis mutandis.	That Coordinating Authority shall request to the competent judicial ~~authority or independent administrative~~ authority that issued the blocking order the modification or revocation of such order, where necessary in the light of the outcome of that assessment or to take account of justified requests or the reports referred to in Article 18(5) and (6), respectively. The provisions of this Section shall apply to such requests, mutatis mutandis.	~~That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the blocking order the modification or revocation of such order,~~ Where necessary in the light of the outcome of that assessment or ~~to take account of justified requests or~~ ***other relevant information, including information obtained through*** the reports referred to in Article ~~18(5) and (6)~~ ***17(5a)*** , ~~respectively. The provisions of this Section~~ ***an order*** shall ~~apply to such requests, mutatis mutandis~~***be modified or reversed by the issuing authority, where relevant at the request of the Coordinating Authority***.	~~That Coordinating Authority shall request to the competent judicial authority or independent administrative authority that issued the blocking order the modification or revocation of such order,~~ Where necessary in the light of the outcome of that assessment or ~~to take account of justified requests or~~***any other relevant information, including that obtained through*** the reports referred to in Article ***17(5)(a)/***18(5) and (6), ~~respectively. The provisions of this Section~~***an order*** shall ~~apply to such requests, mutatis mutandis~~***be modified or reversed by the issuing authority***. Informal (18.05.): For provisional agreement. Text Origin: CY PCY - drafting
Article 17				
379	Article 17 Additional rules regarding blocking orders	Article 17 Additional rules regarding blocking orders	Article 17 Additional rules regarding blocking orders	Article 17 Additional rules regarding blocking orders Text Origin: Commission Proposal
Article 17(1)				
380	1.The Coordinating Authority of establishment shall issue the	1.The Coordinating Authority of establishment shall issue the	1.~~The Coordinating Authority of establishment shall issue the~~ ***A***	1.~~The Coordinating Authority of establishment shall issue the~~ ***A***

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	blocking orders referred to in Article 16 using the template set out in Annex VII. Blocking orders shall include:	blocking orders referred to in Article 16 using the template set out in Annex VII. Blocking orders shall include:	blocking ~~orders referred to in Article 16~~***order shall be issued*** using the template set out in Annex VII. Blocking orders shall include:	blocking ~~orders referred to in Article 16~~***order shall be issued*** using the template set out in Annex VII. Blocking orders shall include: Text Origin: CY PCY - drafting
Article 17(1), point (a)				
381	(a) the reference to the list of uniform resource locators, provided by the EU Centre, and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6);	(a) the reference to the list of uniform resource locators, provided by the EU Centre, and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6);	(a) ***where applicable,*** the reference to the list of uniform resource locators, provided by the EU Centre, ~~and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6)~~;	(a) ***[where applicable,]*** the reference to the list of uniform resource locators, provided by the EU Centre***[***, and the safeguards to be provided for, including the limits and safeguards specified pursuant to Article 16(5) and, where applicable, the reporting requirements set pursuant to Article 18(6)***]***; ITM (4.05): Provisionally agreed through written exchange except the bracketed part. Text Origin: CY PCY - drafting
Article 17(1), point (b)				
382	(b) identification details of the competent judicial authority or the independent administrative authority issuing the blocking order and authentication of the blocking order by that authority;	(b) identification details of the competent judicial authority or the independent administrative authority issuing the blocking order and authentication of the blocking order by that authority;	(b) identification details of the ~~competent judicial authority or the independent administrative~~ authority issuing the blocking order and authentication of the blocking order by that authority;	(b) identification details of the ~~competent judicial authority or the independent administrative~~ authority issuing the blocking order and authentication of the blocking order by that authority; Text Origin: CY PCY - drafting
Article 17(1), point (c)				
383	(c) the name of the provider and, where applicable, its legal	(c) the name of the provider and, where applicable, its legal	(c) the name of the provider and, where applicable, its legal	(c) the name of the provider and, where applicable, its legal

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	representative;	representative;	representative;	representative; Text Origin: Commission Proposal
Article 17(1), point (d)				
384	(d) the specific service in respect of which the detection order is issued;	(d) the specific service in respect of which the detection order is issued;	(d) ***clear information enabling the provider to identify and locate the child sexual abuse material and*** the specific service in respect of which the ~~***detection***~~ ***blocking*** order is issued;	(d) ***[clear information enabling the provider to identify and locate the child sexual abuse material and]*** the specific service in respect of which the ~~***detection***~~***blocking*** order is issued; ITM (4.05): ON HOLD (Linked to discussion on URLs). Text Origin: CY PCY - drafting
Article 17(1), point (e)				
385	(e) the start date and the end date of the blocking order;	(e) the start date and the end date of the blocking order;	(e) the start date and the end date of the blocking order;	(e) the start date and the end date of the blocking order; Text Origin: Commission Proposal
Article 17(1), point (ea)				
385a			***(ea) the limits referred to in Article 16(5);***	*deleted* *Text Origin: CY PCY - drafting*
Article 17(1), point (f)				
386	*(f)* a sufficiently detailed statement of reasons explaining why the blocking order is issued;	(f) a sufficiently detailed statement of reasons explaining why the blocking order is issued;	(f) a sufficiently detailed statement of reasons explaining why the blocking order is issued;	(f) a sufficiently detailed statement of reasons explaining why the blocking order is issued; Text Origin: Commission Proposal

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Article 17(1), point (fa)				
386a			***(fa) the information necessary for the application, where relevant, of paragraphs 4a, 5, and 5a;***	*deleted* Text Origin: CY PCY - drafting
Article 17(1), point (g)				
387	*(g)* a reference to this Regulation as the legal basis for the blocking order;	(g) a reference to this Regulation as the legal basis for the blocking order;	(g) a reference to this Regulation as the legal basis for the blocking order;	(g) a reference to this Regulation as the legal basis for the blocking order; Text Origin: Commission Proposal
Article 17(1), point (h)				
388	(h) the date, time stamp and electronic signature of the judicial authority or the independent administrative authority issuing the blocking order;	(h) the date, time stamp and electronic signature of the judicial authority or the independent administrative authority issuing the blocking order;	(h) the date, time stamp and electronic signature of the ~~*judicial authority or the independent administrative*~~***competent*** authority issuing the blocking order;	(h) the date, time stamp and electronic signature of the ~~*judicial authority or the independent administrative*~~ authority issuing the blocking order; Text Origin: CY PCY - drafting
Article 17(1), point (i)				
389	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress.	(i) easily understandable information about the redress available to the addressee of the blocking order, including information about redress to a court and about the time periods applicable to such redress. Text Origin: Commission Proposal
Article 17(2)				
390	2.The competent judicial authority or independent administrative	2.The competent judicial ~~*authority or independent administrative*~~	2.The competent ~~*judicial authority or independent administrative*~~	2.The ~~*competent judicial authority or independent administrative*~~

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	authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.	authority issuing the blocking order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24. Text Origin: CY PCY - drafting
Article 17(3)				
G 391	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority of establishment and to the EU Centre, through the system established in accordance with Article 39(2).	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1) ***by electronic means capable of producing a written record under conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order***, to the Coordinating Authority ~~*of establishment*~~ ***in the Member State in which the order was issued*** and to the EU Centre, through the system established in accordance with Article 39(2).	3.The blocking order shall be transmitted to the provider's point of contact referred to in Article 23(1), to the Coordinating Authority ~~*of establishment*~~***in the Member State in which the order was issued*** and to the EU Centre, through the system established in accordance with Article 39(2). Text Origin: CY PCY - drafting
Article 17(4)				
G 392	4.The blocking order shall be drafted in the language declared by the provider pursuant to Article 23(3).	4.The blocking order shall be drafted in the language declared by the provider pursuant to Article 23(3).	4.The blocking order shall be ~~*drafted in the language*~~***transmitted in any of the official languages*** declared by the provider pursuant to Article 23(3).	4.The blocking order shall be drafted in ***any of the languages*** ~~*the language*~~ declared by the provider pursuant to Article 23(3). Text Origin: CY PCY - drafting
Article 17(4a)				
G 392a			***4a. If the provider cannot execute the blocking order on grounds of***	***4a. If the provider cannot execute the blocking order on grounds of***

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			force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex VIII.	***force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex VIII.*** Linked to line 370a. Text Origin: CY PCY - drafting
Article 17(5)				
393	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex VIII.	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification to the Coordinating Authority of establishment, using the template set out in Annex VIII.	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification ~~*to the Coordinating*~~ ***from the*** authority ~~*of establishment,*~~ ***issuing the order*** using the template set out in Annex VIII.	5.If the provider cannot execute the blocking order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the necessary clarification ~~*to the Coordinating*~~ ***from the*** authority ~~*of establishment,*~~ ***issuing the order*** using the template set out in Annex VIII. Text Origin: CY PCY - drafting
Article 17(5a), first subparagraph				
393a			***5a. The provider shall, without undue delay and using the template set out in Annex IX, inform the issuing authority of the measures taken to execute the blocking order, indicating, in particular, whether the provider has prevented access to***	***5a. The provider shall, without undue delay and using the template set out in Annex IX, inform the issuing authority of the measures taken to execute the blocking order, indicating, in particular, whether the provider has prevented access to***

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			child sexual abuse material.	***child sexual abuse material.*** Informal (18.05.): For provisional agreement. Text Origin: Council Mandate
Article 17(5a), second subparagraph				
393b			***The authority issuing the order shall require the provider to report to it at regular intervals on the measures taken and their functioning to execute a blocking order, including the effective and proportionate limitations and safeguards provided for.***	*deleted* *Informal (18.05.): For provisional agreement. CNS to check,*
Article 17(5a), third subparagraph				
393c			***Upon request of the issuing authority, the provider shall also provide, without undue delay, such reports or any other information relating to the execution of the blocking order needed for the purpose of the assessment referred to in Article 16(7).***	***Upon request of the issuing authority, the provider shall also provide, without undue delay, such reports or any other information relating to the execution of the blocking order needed for the purpose of the assessment referred to in Article 16(7).*** Informal (18.05.): For provisional agreement. Text Origin: Council Mandate
Article 17(6)				
394	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII and	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII and	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII ~~*and*~~	6.The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes VII, ***[and]***

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	VIII where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	VIII where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	~~VII~~, ***VIII and IX*** where necessary to improve the templates in view of relevant technological developments or practical experiences gained.	***VIII [and IX]*** ~~and VII~~ where necessary to improve the templates in view of relevant technological developments or practical experiences gained. ITM (4.05): Provisionally agreed through written exchange except the bracketed part. Text Origin: CY PCY - drafting
Article 18				
395	Article 18 Redress, information and reporting of blocking orders	Article 18 Redress, information and reporting of blocking orders	Article 18 Redress~~,~~ ***and provision of*** information ~~and reporting of blocking orders~~	Article 18 Redress~~,~~ ***[and] provision of*** information ***[***and reporting of blocking orders***]*** ITM (4.05.): Mirror Art. 15 (lines 342-355a) Text Origin: CY PCY - drafting
Article 18(1)				
396	1.Providers of internet access services that have received a blocking order, as well as users who provided or were prevented from accessing a specific item of material indicated by the uniform resource locators in execution of such orders, shall have a right to effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the competent judicial authority or independent	1.Providers of internet access services that have received a blocking order, as well as users who provided or were prevented from accessing a specific item of material indicated by the uniform resource locators in execution of such orders, shall have a right to effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the competent judicial authority ~~or independent~~	1.Providers of internet access services that have received a blocking order~~, as well as~~ ***and*** users who provided ~~or were prevented from accessing a specific item of~~ ***blocked*** material ~~indicated by the uniform resource locators in execution of such orders,~~ shall have a right to effective redress. That right shall include the right to challenge the blocking order before the courts of the Member State of the ~~competent judicial authority or~~	ITM (4.05.): Mirror Art. 15 (lines 342-355a)

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	administrative authority that issued the blocking order.	~~*administrative authority*~~ that issued the blocking order.	~~*independent administrative*~~ authority that issued the blocking order.	
Article 18(1a)				
396a			***1a. If the order is reversed as a result of a redress procedure, the provider shall without undue delay reinstate access to the material, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(2), first subparagraph				
397	2.When the blocking order becomes final, the competent judicial authority or independent administrative authority that issued the blocking order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the blocking order becomes final, the competent judicial ~~*authority or independent administrative*~~ authority that issued the blocking order shall, without undue delay, transmit a copy thereof to the Coordinating Authority of establishment. The Coordinating Authority of establishment shall then, without undue delay, transmit a copy thereof to all other Coordinating Authorities through the system established in accordance with Article 39(2).	2.When the blocking order becomes final, the ~~*competent judicial authority or independent administrative*~~ authority that issued the blocking order shall, without undue delay, transmit a copy thereof ***and copies of information it has received pursuant to Article 17 (4a) to (5a)*** ~~*to*~~ the Coordinating Authority ~~*of establishment*~~. The Coordinating Authority ~~*of establishment*~~ shall then, without undue delay, transmit ~~*a copy*~~ ***copies*** thereof to all other Coordinating Authorities ***and the EU Centre*** through the system established in accordance with Article 39(2).	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(2), second subparagraph				
398	For the purpose of the first subparagraph, a blocking order shall	For the purpose of the first subparagraph, a blocking order shall	For the purpose of the first subparagraph, a blocking order shall	ITM (4.05.): Mirror Art. 15 (lines 342-

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	become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the removal order following an appeal.	become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the ~~*removal*~~***blocking*** order following an appeal.	355a)
Article 18(3)				
399	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it, within a reasonable timeframe, complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	3.The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it~~*, within a reasonable timeframe,*~~ complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(4)				
400	4.Where a provider prevents users from accessing the uniform resource locators pursuant to a blocking order issued in accordance with Article 17, it shall take reasonable measures to inform the users of the following:	4.Where a provider prevents users from accessing the uniform resource locators pursuant to a blocking order issued in accordance with Article 17, it shall take reasonable measures to inform the users of the following:	4.Where a provider prevents users from accessing the ~~*uniform resource locators*~~ ***content*** pursuant to a blocking order ~~*issued in accordance with Article 17*~~, it shall take reasonable measures to inform ~~*the*~~***those*** users of the following:	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(4), point (a)				
401	(a) the fact that it does so pursuant to a blocking order;	(a) the fact that it does so pursuant to a blocking order;	(a) the fact that it does so pursuant to a blocking order ***and the reasons for doing so***;	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(4), point (b)				
402	(b) the reasons for doing so,	(b) the reasons for doing so,	~~*(b) the reasons for doing so,*~~	

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	providing, upon request, a copy of the blocking order;	providing, upon request, a copy of the blocking order;	~~*providing, upon request, a copy of the blocking order;*~~	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(4), point (c)				
403	(c) the users' right of judicial redress referred to in paragraph 1, their rights to submit complaints to the provider through the mechanism referred to in paragraph 3 and to the Coordinating Authority in accordance with Article 34, as well as their right to submit the requests referred to in paragraph 5.	(c) the users' right of judicial redress referred to in paragraph 1, their rights to submit complaints to the provider through the mechanism referred to in paragraph 3 and to the Coordinating Authority in accordance with Article 34, as well as their right to submit the requests referred to in paragraph 5.	(c) the ~~*users'*~~ right of ***users who provided the blocked material to*** judicial redress referred to in paragraph 1, ~~*their rights*~~***the right of users*** to submit complaints to the provider through the mechanism referred to in paragraph 3 and to the Coordinating Authority in accordance with Article 34~~*, as well as their right to submit the requests referred to in paragraph 5*~~.	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(5), first subparagraph				
404	5.The provider and the users referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess whether users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required reasonable measures to	5.The provider and the users referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess whether users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required reasonable measures to	~~*5.The provider and the users referred to in paragraph 1 shall be entitled to request the Coordinating Authority that requested the issuance of the blocking order to assess whether users are wrongly prevented from accessing a specific item of material indicated by uniform resource locators pursuant to the blocking order. The provider shall also be entitled to request modification or revocation of the blocking order, where it considers it necessary due to substantial changes to the grounds for issuing the blocking orders that occurred after the issuance thereof, in particular substantial changes preventing the provider from taking the required*~~	ITM (4.05.): Mirror Art. 15 (lines 342-355a)

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	execute the blocking order,	execute the blocking order,	~~reasonable measures to execute the blocking order,~~	
Article 18(5), second subparagraph				
405	The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the provider or the user submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre.	The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the provider or the user submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre.	~~The Coordinating Authority shall, without undue delay, diligently assess such requests and inform the provider or the user submitting the request of the outcome thereof. Where it considers the request to be justified, it shall request modification or revocation of the blocking order in accordance with Article 16(7) and inform the EU Centre.~~	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Article 18(6)				
406	6. Where the period of application of the blocking order exceeds 24 months, the Coordinating Authority of establishment shall require the provider to report to it on the measures taken to execute the blocking order, including the safeguards provided for, at least once, halfway through the period of application.	6. Where the period of application of the blocking order exceeds 24 months, the Coordinating Authority of establishment shall require the provider to report to it on the measures taken to execute the blocking order, including the safeguards provided for, at least once, halfway through the period of application.	~~6. Where the period of application of the blocking order exceeds 24 months, the Coordinating Authority of establishment shall require the provider to report to it on the measures taken to execute the blocking order, including the safeguards provided for, at least once, halfway through the period of application.~~	ITM (4.05.): Mirror Art. 15 (lines 342-355a)
Section 5a				
406a			***Section 5a Delisting obligations***	Trilogue (11.05.): Further discussion at technical level.
Article 18a				
406b			***Article 18a Delisting orders***	Trilogue (11.05.): Further discussion at

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				technical level.
Article 18a(1)				
406c			***1.The competent authority of each Member State shall have the power to issue a delisting order, subject to any requirements of national law as referred to in the paragraph 1a, requiring a provider of an online search engine to take reasonable measures to delist an online location where child sexual abuse material can be found from appearing in search results in all Member States. The competent authorities may make use of the list of uniform resource locators included in the database of indicators, in accordance with Article 44(2), point (b) and provided by the EU Centre.***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(2)				
406d			***2.By deviation from paragraph 1, and without causing undue delays in the process of issuance of those orders, Member States may decide that such orders can only be issued by or with the prior authorisation of a judicial authority, if necessary, at the request of another competent authority. Where a Member State makes use of this possibility, it shall inform the Commission thereof and maintain this information updated. The Commission shall make the***	Trilogue (11.05.): Further discussion at technical level.

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			information received publicly available and maintain this information updated.	
Article 18a(3)				
406e			***3.The provider shall execute the delisting order as soon as possible and in any event within 24 hours of receipt thereof. The provider shall take the necessary measures to ensure that it is capable of reinstating the delisted online location to appear in search results in accordance with Article 18c(2).***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(4)				
406f			***4.A delisting order shall be issued where the following conditions are met:***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(4), point (a)				
406g			***(a) the delisting is necessary to prevent the dissemination of the child sexual abuse material in the Union, having regard in particular to the need to protect the rights of the victims;***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(4), point (b)				
406h			***(b) URLs specified in the delisting order correspond, in a sufficiently reliable manner, to online locations where child sexual abuse material can be found.***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(5), first subparagraph				

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406i			***5. The issuing authority shall specify in the delisting order the period during which it applies, indicating the start date and the end date.***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(5), second subparagraph				
406j			***The period of application of delisting orders shall not exceed five years.***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(6), first subparagraph				
406k			***6. The Coordinating Authority or the issuing authority shall, where necessary and at least once every year, assess whether any substantial changes to the grounds for issuing the delisting orders have occurred and whether the conditions of paragraph 4 continue to be met.***	Trilogue (11.05.): Further discussion at technical level.
Article 18a(6), second subparagraph				
406l			***Where necessary in the light of the outcome of that assessment or information of the reports referred to in Article 18b(6) an order may be modified or reversed by the issuing authority, where relevant at the request of the Coordinating Authority.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b				
406m			***Article 18aa*** ***Procedure for cross-border delisting orders***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(1)				

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406n			***1.Subject to Article 18a, where the provider of an online search engine does not have its main establishment or legal representative in the Member State of the authority that issued the delisting order, that authority shall, simultaneously submit through the Coordinating Authority a copy of the delisting order to the Coordinating Authority of establishment.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(2), first subparagraph				
406o			***2.The Coordinating Authority of establishment may, within 72 hours of receiving the copy of the delisting order in accordance with paragraph 1, scrutinise the delisting order to determine whether it seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(2), second subparagraph				
406p			***Where that Coordinating Authority finds such an infringement, it shall, within the period referred to in the first subparagraph, adopt a reasoned decision to that effect.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(3)				
406q			***3.Where a provider of an online search engine receives a delisting order as referred to in paragraph 1,***	Trilogue (11.05.): Further discussion at technical level.

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			it shall take the measures provided for in Article 18a as well as the necessary measures to be able to reinstate the delisted online location to appear in search results, in accordance with paragraph 4 of this Article.	
Article 18b(4)				
406r			***4.Upon receiving a decision finding an infringement communicated in accordance with paragraph 7, the provider of an online search engine concerned shall without undue delay reinstate the delisted online location to appear in search results, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(5), first subparagraph				
406s			***5.By way of derogation from Article 18a(1) and from paragraphs 1 and 2 of this Article, a Member State in which the provider of an online search engine has its main establishment or in which its legal representative resides or is established may decide that delisting orders issued by the competent authorities of other Member States are to be transmitted through the Coordinating Authority of that Member State. That Member State shall inform the Commission***	Trilogue (11.05.): Further discussion at technical level.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			of its decision and of its reasons therefor. The Commission shall make publicly available, and keep up-to-date, a list of Member States that take such a decision.	
Article 18b(5), second subparagraph				
406t			***The Coordinating Authority of establishment shall as soon as possible and in any event within 72 hours of receiving a delisting order, as referred to in the first subparagraph, transmit that delisting order to the provider of the online search engine, unless it adopts a reasoned decision within that 72 hour period that that delisting order seriously or manifestly infringes this Regulation or the fundamental rights and freedoms guaranteed by the Charter. Such removal order shall only have legal effect upon the transmission thereof to the provider of the online search engine.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(6)				
406u			***6.The Coordinating Authority of establishment shall, before adopting a decision pursuant to the second subparagraph of paragraph 2 or the second subparagraph of paragraph 5, inform the Coordinating Authority of the Member State whose authority issued the delisting order of its intention to adopt the***	Trilogue (11.05.): Further discussion at technical level.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			decision and of the reasons therefor.	
Article 18b(7), first subparagraph				
406v			***7.Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 2, it shall, without delay, transmit that decision, to the Coordinating Authority of the Member State whose authority issued the delisting order, the provider of the online search engine and the EU Centre.***	Trilogue (11.05.): Further discussion at technical level.
Article 18b(7), second subparagraph				
406w			***Where the Coordinating Authority of establishment adopts a reasoned decision in accordance with the second subparagraph of paragraph 5, it shall, without delay, transmit that decision to the Coordinating Authority of the Member State whose authority issued the delisting order and the EU Centre.***	Trilogue (11.05.): Further discussion at technical level.
Article 18c				
406x			***Article 18b*** ***Additional rules regarding delisting orders***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1)				
406y			***1.A delisting order shall be issued using the template set out in Annex X. Delisting orders shall include:***	Trilogue (11.05.): Further discussion at technical level.

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Article 18c(1), point (a)				
406z			***(a) where applicable, the reference to the list of uniform resource locators, provided by the EU Centre,***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (b)				
406aa			***(b) identification details of the authority issuing the delisting order and authentication of the order by that authority;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (c)				
406ab			***(c) the name of the provider and, where applicable, its legal representative;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (d)				
406ac			***(d) clear information enabling the provider to identify and locate the child sexual abuse material and the specific service in respect of which the delisting order is issued;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (e)				
406ad			***(e) the start and end date of the delisting;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (f)				
406ae			***(f) a sufficiently detailed statement of reasons explaining why the delisting order is issued;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (g)				
406af			***(g) the information necessary for***	

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			the application, where relevant, of paragraphs 4, 5, and 6;	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (h)				
406ag			***(h) a reference to this Regulation as the legal basis for delisting;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (i)				
406ah			***(i) the date, time stamp and electronic signature of the competent authority issuing the delisting order;***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(1), point (j)				
406ai			***(j) easily understandable information about the redress available, including information about redress to a court and about the time periods applicable to such redress.***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(2), first subparagraph				
406aj			***2.The competent authority issuing the delisting order shall address it to the main establishment of the provider or, where applicable, to its legal representative designated in accordance with Article 24.***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(2), second subparagraph				
406ak			***The delisting order shall be transmitted to the provider's point of contact referred to in Article 23(1) by electronic means capable of producing a written record under***	Trilogue (11.05.): Further discussion at technical level.

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			conditions that allow to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order to the Coordinating Authority in the Member State in which the order was issued and to the EU Centre, through the system established in accordance with Article 39(2).	
Article 18c(3)				
406al			***3.The delisting order shall be transmitted in any of the official languages declared by the provider pursuant to Article 23(3).***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(4)				
406am			***4.If the provider cannot execute the delisting order on grounds of force majeure or de facto impossibility not attributable to it, including for objectively justifiable technical or operational reasons, it shall, without undue delay, inform the authority issuing the order of those grounds, using the template set out in Annex XI.***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(5)				
406an			***5.If the provider cannot execute the delisting order because it contains manifest errors or does not contain sufficient information for its execution, the provider shall, without undue delay, request the***	Trilogue (11.05.): Further discussion at technical level.

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			necessary clarification from the authority issuing the order, using the template set out in Annex XI.	
Article 18c(6), first subparagraph				
406ao			***6. The provider shall, without undue delay and using the template set out in Annex XII, inform the issuing authority of the measures taken to execute the delisting order, indicating, in particular, whether the provider has prevented search results for the online location with child sexual abuse material to appear.***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(6), second subparagraph				
406ap			***The authority issuing the order may require the provider to report to it regularly on the measures taken to execute a delisting order.***	Trilogue (11.05.): Further discussion at technical level.
Article 18c(7)				
406aq			***7. The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to amend Annexes X, XI and XII where necessary to improve the templates in view of relevant technological developments or practical experiences gained.***	Trilogue (11.05.): Further discussion at technical level.
Article 18d				
406ar			***Article 18c*** ***Redress and provision of information***	Trilogue (11.05.): Further discussion at technical level.

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Article 18d(1)				
406as			***1.Providers of online search engines that have received a delisting order and users that provided the material to a delisted online location shall have a right to effective redress. That right shall include the right to challenge the delisting order before the courts of the Member State of the authority that issued the delisting order.***	Trilogue (11.05.): Further discussion at technical level.
Article 18d(2)				
406at			***2.If the order is reversed as a result of a redress procedure, the provider shall without undue delay reinstate the delisted online location to appear in search results, without prejudice to the possibility to enforce its terms and conditions in accordance with Union and national law.***	Trilogue (11.05.): Further discussion at technical level.
Article 18d(3), first subparagraph				
406au			***3.When the delisting order becomes final, the issuing authority shall, without undue delay, transmit a copy thereof and information it has received pursuant to Article 18b (4) to (6) to the Coordinating Authority. The Coordinating Authority shall then, without undue delay, transmit copies thereof to all other Coordinating Authorities and the EU Centre through the system established in accordance with***	Trilogue (11.05.): Further discussion at technical level.

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			Article 39(2).	
Article 18d(3), second subparagraph				
406av			***For the purpose of the first subparagraph, a delisting order shall become final upon the expiry of the time period for appeal where no appeal has been lodged in accordance with national law or upon confirmation of the delisting order following an appeal.***	Trilogue (11.05.): Further discussion at technical level.
Article 18d(4)				
406aw			***4. The provider shall establish and operate an accessible, age-appropriate and user-friendly mechanism that allows users to submit to it complaints about alleged infringements of its obligations under this Section. It shall process such complaints in an objective, effective and timely manner.***	Trilogue (11.05.): Further discussion at technical level.
Article 18d(5)				
406ax			***5. Where a provider prevents users from obtaining search results for child sexual abuse material corresponding to an online location pursuant to a delisting order, it shall take reasonable measures to inform those users of the following:***	Trilogue (11.05.): Further discussion at technical level.
Article 18d(5), point (a)				
406ay			***(a) the fact that it does so pursuant to a delisting order and the reasons***	Trilogue (11.05.): Further discussion at

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			for doing so;	technical level.
Article 18d(5), point (b)				
406az			***(b) the right of users that provided the material to a delisted online location to judicial redress referred to in paragraph 1 and users' right to submit complaints to the Coordinating Authority in accordance with Article 34.***	Trilogue (11.05.): Further discussion at technical level.
Section 6				
407	Section 6 Additional provisions	Section 6 Additional provisions	Section 6 Additional provisions	Section 6 Additional provisions Text Origin: Commission Proposal
Article 19				
408	Article 19 Liability of providers	Article 19 Liability of providers	Article 19 Liability of providers	Article 19 Liability of providers Text Origin: Commission Proposal
Article 19, first paragraph				
409	Providers of relevant information society services shall not be liable for child sexual abuse offences solely because they carry out, in good faith, the necessary activities to comply with the requirements of this Regulation, in particular activities aimed at detecting, identifying, removing, disabling of access to, blocking or reporting online child sexual abuse in accordance with those requirements.	Providers of relevant information society services shall not be liable for child sexual abuse offences solely because they carry out, in good faith ***and in a diligent manner***, the necessary activities to comply with the requirements of this Regulation, in particular activities aimed at detecting, identifying, removing, disabling of access to, blocking, or reporting online child sexual abuse in accordance with	Providers of relevant information society services shall not be liable for child sexual abuse offences ~~solely because~~ ***if and insofar as*** they carry out, in good faith, ~~the necessary~~ activities to comply with ~~the requirements of~~ this Regulation, in particular activities aimed at ~~detecting,~~ ***assessing and mitigating risk, ,*** identifying, ***reporting***, removing, disabling ~~of~~ access to, blocking or ~~reporting~~ ***delisting from***	Providers of relevant information society services shall not be liable for child sexual abuse offences solely because they carry out, in good faith ***and in a diligent manner***, the necessary activities to comply with the requirements of this Regulation, in particular activities aimed at ***[***detecting***, assessing and mitigating risk]***, identifying***, reporting***, removing, disabling ~~of~~ access to, blocking***, [or delisting***

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		those requirements.	***search results*** online child sexual abuse ~~*in accordance with those requirements.*~~***.***	***from search results]*** ~~*or reporting*~~ online child sexual abuse in accordance with those requirements. ITM 23.02: Provisionally agreed Linked to discussion on mitigating risks and orders (delisting) Text Origin: EP Mandate
Article 20				
G 410	Article 20 Victims' right to information	Article 20 Victims' right to information	Article 20 Victims' right to information	Article 20 ~~*Victims'*~~ Right to information Text Origin: Commission Proposal
Article 20(1), first subparagraph				
G 411	1.Persons residing in the Union shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where they reside, information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. Persons with disabilities shall have the right to ask and receive such an information in a manner accessible to them.	1.~~*Persons residing in the Union*~~***Victims*** shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where they reside~~*,*~~ ***or a Coordinating Authority of their choice*** information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. ~~*Persons with disabilities*~~***The right to information shall cover both occasional information as well as periodic information on a weekly, monthly or yearly basis.*** ***Victims*** shall have the right to ask	1.Persons residing in the Union shall have the right to receive, upon their request, from the Coordinating Authority ~~*designated by*~~ ***in*** the Member State where they reside, information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. Persons with disabilities shall have the right to ask and receive such an information in a manner accessible to them.	1.Persons residing in ***the Union and Union citizens residing outside*** the Union shall have the right to receive, upon their request, from the Coordinating Authority ~~*designated by*~~***in*** the Member State where they reside ***or the Member State of their citizenship***, information regarding any instances where the dissemination of known child sexual abuse material depicting them is reported to the EU Centre pursuant to Article 12. Persons ~~*with disabilities*~~ shall have the right to ask and receive such ~~*an*~~ information in a manner accessible to them. ***The information in question shall be provided without***

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		and receive such an information in ***the language indicated by that person, in a confidential, age-appropriate,*** ~~*a manner*~~ accessible ~~*to them*~~***, understandable and gender-sensitive manner***. ***The information in question shall be provided within a reasonable period of time.***		***undue delay and, where this has been indicated in the request, annually, until the person that made the request notifies the Coordinating Authority that he or she no longer wishes to receive the information.***
Article 20(1), first subparagraph a				
411a		***For the purpose of this Regulation, parents and guardians or legal representatives shall be entitled to exercise the rights of victims on their behalf where the victim is under 18 years of age or legally incompetent.***		*deleted* *EP will drop amendments to relevant recitals.*
Article 20(1), second subparagraph				
412	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the ~~*person*~~***victim*** making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request. Text Origin: Council Mandate
Article 20(1), a				
412a		***Where victims indicate in their request the preference for a periodic information, the Coordinating Authority shall provide periodically the victim, with the information referred to in***		*deleted* *Text Origin: EP Mandate*

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		paragraph 3. Victims may terminate such a request for periodic information at any time by notifying the competent Coordinating Authority.		
Article 20(2)				
413	*2.*The request referred to in paragraph 1 shall indicate:	2.The request referred to in paragraph 1 shall indicate:	2.The request referred to in paragraph 1 shall indicate:	2.The request referred to in paragraph 1 shall indicate: Text Origin: Commission Proposal
Article 20(2), point (a)				
414	(a) the relevant item or items of known child sexual abuse material;	(a) the relevant item or items of known child sexual abuse material;	(a) the relevant item or items of known child sexual abuse material;	(a) the relevant item or items of known child sexual abuse material; Text Origin: Commission Proposal
Article 20(2), point (b)				
415	(b) where applicable, the individual or entity that is to receive the information on behalf of the person making the request;	(b) where applicable, the individual or entity ***formally assisting or representing the victim*** that is to receive the information on behalf of the person making the request;	(b) where applicable, the individual or entity that is to receive the information on behalf of the person making the request;	(b) ~~*where applicable, the individual or entity that is to receive the information on behalf*~~***the identity*** of the person making the request; Text Origin: CY Acting Pcy2
Article 20(2), point (ba)				
415a				***(ba) where applicable, the individual or entity that is to receive the information on behalf of the person making the request;***
Article 20(2), point (c)				
416	(c) sufficient elements to demonstrate the identity of the	(c) sufficient elements to ~~*demonstrate*~~***verify that the child***	(c) sufficient elements to demonstrate the identity of the	~~*(c)*~~***(d)***sufficient elements to demonstrate ***that the item or items***

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	person making the request.	***sexual abuse material matches*** the identity of the ~~*person*~~***victim*** making the request~~.~~***;***	person making the request.	***referred to in letter (a) depict or represent***~~*the identity of*~~ the person making the request~~.~~***, whether fully or partially;*** Text Origin: CY Acting Pcy2
Article 20(2), point (ca)				
416a		***(ca) an indication of whether the request is occasional or covers a certain time period.***		***(ca) whether the information is to be provided once or annually.***
Article 20(3)				
417	3.The information referred to in paragraph 1 shall include:	3.The information referred to in paragraph 1 shall include:	3.The information referred to in paragraph 1 shall include:	3.The information referred to in paragraph 1 shall include: Text Origin: Commission Proposal
Article 20(3), point (-a)				
417a	(a) the identification of the provider that submitted the report; Moved reference text	~~*(a)*~~***(-a)*** the identification of the provider that submitted the report; Copy-Delete: row 418		*deleted* *Text Origin: EP Mandate*
Article 20(3), point (d)				
417b	*(d)* whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i). Moved reference text	~~*(d)*~~***(-b)*** whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i). Copy-Delete: row 421		*deleted*
Article 20(3), point (-c)				
417c	*(c)* whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to	~~*(c)*~~***(-c)*** whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to		*deleted*

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	which authorities; Moved reference text	which authorities; Copy-Delete: row 420		
Article 20(3), point (b)				
417d	*(b)* the date of the report; Moved reference text	~~*(b)*~~ ***(-d)*** the date of the report; Copy-Delete: row 419		*deleted*
Article 20(3), point (a)				
418	*(a)* the identification of the provider that submitted the report;	*deleted*	*(a)* the identification of the provider that submitted the report;	(a) the identification of the provider that submitted the report; Text Origin: Commission Proposal
Article 20(3), point (b)				
419	(b) the date of the report;	*deleted*	*(b)* the date of the report;	(b) the date of the report; Text Origin: Commission Proposal
Article 20(3), point (c)				
420	(c) whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to which authorities;	*deleted*	*(c)* whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to which authorities;	(c) whether the EU Centre forwarded the report in accordance with Article 48(3) and, if so, to which authorities; Text Origin: Commission Proposal
Article 20(3), point (d)				
421	(d) whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i).	*deleted*	*(d)* whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i).	(d) whether the provider reported having removed or disabled access to the material, in accordance with Article 13(1), point (i). Text Origin: Commission

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				Proposal
Article 20(3a)				
421a		***3a. Victims shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where they reside or the Coordinating Authority of their choice information regarding victims' rights, support and assistance. The information shall be age-appropriate, accessible, understandable and gender-sensitive and shall include:***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point a				
421b		***(a) the type of support they can obtain and from whom, including, where relevant, basic information about access to medical support, any specialist support, including emotional, psychological or social support, and alternative accommodation***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point b				
421c		***(b) the procedures for making complaints with regard to a criminal offence and their role in connection with such procedures;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point c				
421d		***(c) how and under what conditions they can obtain protection,***		*deleted*

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		including protection measures;		*EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point d				
421e		***(d) how and under what conditions they can access legal advice, legal aid and any other sort of advice legal assistance;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point e				
421f		***(e) how and under what conditions they can access compensation;***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 20(3a) point f				
421g		***(f) how and under what conditions they are entitled to interpretation and translation.***		*deleted* *EP agrees to drop amendment and to mention substance in a recital.*
Article 21				
422	Article 21 Victims' right of assistance and support for removal	Article 21 Victims' right of assistance and support for removal	Article 21 Victims' right of assistance and support for removal	Article 21 ~~*Victims'*~~ Right of assistance and support for removal Text Origin: Commission Proposal
Article 21(1)				
423	1.Providers of hosting services shall provide reasonable assistance, on request, to persons residing in the	1.Providers of hosting services shall provide reasonable assistance, on request, to ~~*persons residing in the*~~	1.Providers of hosting services shall provide ~~*reasonable*~~ assistance, on request, to persons residing in the	1.Providers of hosting services shall provide ~~*reasonable*~~ assistance, on request, to persons residing in ***the***

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	Union that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider.	~~Union~~***victims*** that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider. ***That support shall be provided in a timely manner.***	Union that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider.	***Union and to Union citizens residing outside*** the Union that seek to have one or more specific items of known child sexual abuse material depicting them removed or to have access thereto disabled by the provider. ***That assistance shall be provided without undue delay.*** Text Origin: CY Acting Pcy2
Article 21(2), first subparagraph				
G 424	2.Persons residing in the Union shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where the person resides, support from the EU Centre when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. Persons with disabilities shall have the right to ask and receive any information relating to such support in a manner accessible to them.	2.~~Persons residing in the Union~~***To that end, victims*** shall have the right to receive, upon their request, from the Coordinating Authority designated by the Member State where ~~the person~~***they*** resides ***or from the Coordinating Authority of their choice***, support from the EU Centre when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. ~~Persons with disabilities~~***Victims*** shall have the right to ~~ask and~~ receive any information relating to such support in a ~~manner~~***confidential, easily understandable and*** accessible ***manner*** to them. ***The support shall be provided by staff specifically trained to interact with victims and be able to address the specific needs and vulnerabilities of victims.***	2.Persons residing in the Union shall have the right to receive~~, upon their request, from the Coordinating Authority designated by the Member State where the person resides,~~ support from the EU Centre ***upon their request, to and via the Coordinating Authority in the Member State where they reside*** when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. Persons with disabilities shall have the right to ask and receive any information relating to such support in a manner accessible to them.	2.Persons residing in ***the Union and Union citizens residing outside*** the Union shall have the right to receive, ~~upon their~~***if they so*** request~~, from the Coordinating Authority designated by the Member State where the person resides~~, support from the EU Centre when they seek to have a provider of hosting services remove or disable access to one or more specific items of known child sexual abuse material depicting them. ***All such requests for support shall be made via the Coordinating Authority of the Member State where they reside or of the Member State of their citizenship.*** Persons ~~with disabilities~~ shall have the right to ask and receive ~~any~~***such*** information ~~relating to such support~~ in a manner accessible to them. Text Origin: CY Acting Pcy2 G

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Article 21(2), second subparagraph				
425	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the ~~*person*~~***victim*** making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request.	That Coordinating Authority shall transmit the request to the EU Centre through the system established in accordance with Article 39(2) and shall communicate the results received from the EU Centre to the person making the request. Text Origin: Council Mandate
Article 21(3)				
426	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material.	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material ***and any other relevant information***.	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material.	3.The requests referred to in paragraphs 1 and 2 shall indicate the relevant item or items of child sexual abuse material ***and, if available, any other relevant information linked to these items***. Text Origin: EP Mandate
Article 21(4)				
427	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable:	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable:	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable:	4.The EU Centre's support referred to in paragraph 2 shall include, as applicable: Text Origin: Commission Proposal
Article 21(4), point (a)				
428	(a) support in connection to requesting the provider's assistance referred to in paragraph 1;	(a) support in connection to requesting the provider's assistance referred to in paragraph 1;	~~*(a) support in connection to requesting the provider's assistance referred to in paragraph 1;*~~	(a) support in connection to requesting the provider's assistance referred to in paragraph 1; Text Origin: Commission Proposal
Article 21(4), point (b)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
429	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1);	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1);	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1);	(b) verifying whether the provider removed or disabled access to that item or those items, including by conducting the searches referred to in Article 49(1); Text Origin: Commission Proposal
Article 21(4), point (c)				
430	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2);	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2);	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2);	(c) notifying the item or items of known child sexual abuse material depicting the person to the provider and requesting removal or disabling of access, in accordance with Article 49(2); Text Origin: Commission Proposal
Article 21(4), point (d)				
431	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the service, with a view to the issuance of a removal order pursuant to Article 14.	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the ***provider's*** service, with a view to the issuance of a removal order pursuant to Article 14.	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the service, with a view to the issuance of a removal order pursuant to Article 14.	(d) where necessary, informing the Coordinating Authority of establishment of the presence of that item or those items on the ***provider's*** service, with a view to the issuance of a removal order pursuant to Article 14. Text Origin: EP Mandate
Article 22				
432	Article 22 Preservation of information	Article 22 Preservation of information	Article 22 Preservation of information	Article 22 Preservation of information ITM 2.02: ON HOLD (COM to propose an adjusted title (see line 438).

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 22(1), first subparagraph				
433	1.Providers of hosting services and providers of interpersonal communications services shall preserve the content data and other data processed in connection to the measures taken to comply with this Regulation and the personal data generated through such processing, only for one or more of the following purposes, as applicable:	1.Providers of hosting services and providers of interpersonal communications services shall preserve the content data and other data processed in connection to the measures taken to comply with this Regulation and the personal data generated through such processing, only for one or more of the following purposes, as applicable:	1.Providers of hosting services and providers of interpersonal communications services shall preserve the content data and other data processed ~~*in connection to*~~ ***that is necessary for taking*** the measures ~~*taken*~~ to comply with this Regulation and the personal data generated through such processing, ~~*only for one or more of*~~***when*** the following ***measures have been taken or for the*** purposes ***of complaints or redress procedures***, as applicable:	ITM 2.02 - ON HOLD
Article 22(1), first subparagraph, point (a)				
434	(a) executing a detection order issued pursuant to Article 7, or a removal order issued pursuant to Article 14;	(a) executing a detection order issued pursuant to Article 7, or a removal order issued pursuant to Article 14;	(a) executing ~~*a detection order issued pursuant to Article 7, or*~~ a removal order issued pursuant to Article 14 ***or a blocking order pursuant to Article 16 or a delisting order pursuant to Article 18a***;	ITM 2.02 – ON HOLD Linked to voluntary detection/detection orders
Article 22(1), first subparagraph, point (b)				
435	(b) reporting potential online child sexual abuse to the EU Centre pursuant to Article 12;	(b) reporting potential online child sexual abuse to the EU Centre pursuant to Article 12;	(b) reporting ***information that indicate*** potential online child sexual abuse to the EU Centre pursuant to Article 12;	(b) reporting ***information that indicates*** potential online child sexual abuse to the EU Centre pursuant to Article 12; ITM 2.02 - ON HOLD (Text provisionally agreed). Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 22(1), first subparagraph, point (c)				
436	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned;	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned;	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned;	(c) blocking the account of, or suspending or terminating the provision of the service to, the user concerned; Text Origin: Commission Proposal
Article 22(1), first subparagraph, point (d)				
437	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation;	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation;	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation~~;~~**.**	(d) handling users' complaints to the provider or to the Coordinating Authority, or the exercise of users' right to administrative or judicial redress, in respect of alleged infringements of this Regulation; Text Origin: EP Mandate
Article 22(1), first subparagraph, point (e)				
438	(e) responding to requests issued by competent law enforcement authorities and judicial authorities in accordance with the applicable law, with a view to providing them with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences, insofar as the content data and other data relate to a report that the provider has submitted to the EU Centre pursuant to Article 12.	(e) responding to requests issued by competent law enforcement authorities and judicial authorities in accordance with the applicable law, with a view to providing them with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences, insofar as the content data and other data relate to a report that the provider has submitted to the EU Centre pursuant to Article 12. ***All such requests shall be logged.***	~~*(e)*~~***1a.*** ~~*responding to requests*~~ ***Upon a request*** issued by ***a*** competent ~~*law enforcement authorities and judicial authorities in accordance with the applicable law, with a view to providing them*~~ ***authority , providers shall provide the requesting authority*** with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences ***or the handling of complaints or administrative or judicial redress proceedings***, insofar as the content data and other data ~~*relate to a report that the provider has submitted to the EU Centre*~~	~~*(e)*~~***1a.*** ***[***responding to requests ***/ Upon a request]*** issued by competent ***[***law enforcement authorities and judicial***]*** authorities ***[with a view to providing them / providers shall provide the requesting authority] [***in accordance with the applicable law~~*, with a view to providing them*~~***]*** with the necessary information for the prevention, detection, investigation or prosecution of child sexual abuse offences ***[or the handling of complaints or administrative or judicial redress proceedings]***, insofar as the content data and other data ***[***relate to a report that the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~pursuant to Article 12~~**have been preserved for one of the purposes laid down in paragraph 1**.	provider has submitted to the EU Centre pursuant to Article 12 **/ have been preserved for one of the purposes laid down in paragraph 1**. ITM 2.02 - ON HOLD (Text provisionally agreed, EP to check) Text Origin: EP Mandate
Article 22(1), second subparagraph				
439	As regards the first subparagraph, point (a), the provider may also preserve the information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse for the execution of a detection order issued to it in accordance with Article 7. However, it shall not store any personal data for that purpose.	As regards the first subparagraph, point (a), the provider **who uses its own detection** may also preserve the **fully anonymised** information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse for the execution of a detection order issued to it in accordance with Article 7. ~~However, it shall not store any~~**No** personal data **shall be retained** for that purpose.	~~As regards the first subparagraph, point (a), the provider may also preserve the information for the purpose of improving the effectiveness and accuracy of the technologies to detect online child sexual abuse for the execution of a detection order issued to it in accordance with Article 7. However, it shall not store any personal data for that purpose.~~	ITM 2.02 – ON HOLD Linked to voluntary detection/detection orders
Article 22(2), first subparagraph				
440	2.Providers shall preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the reporting or of the removal or disabling of access, whichever occurs first.	2.Providers shall **securely** preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the reporting or of the removal or disabling of access, whichever occurs first.	2.Providers shall preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the ~~reporting or of the removal or disabling of access, whichever occurs first~~**measures taken that led to the obligation to**	2.Providers shall **securely** preserve the information referred to in paragraph 1 for no longer than necessary for the applicable purpose and, in any event, no longer than 12 months from the date of the ~~reporting or of the removal or disabling of access, whichever occurs first~~**measures taken that led**

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			preserve the information . They shall subsequently irrevocably delete the information.	***to the obligation to preserve the information. They shall subsequently delete the information***. ITM 2.02 - ON HOLD (Text provisionally agreed) Text Origin: Council Mandate
Article 22(2), second subparagraph				
441	They shall, upon request from the competent national authority or court, preserve the information for a further specified period, set by that authority or court where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d).	They shall, upon request from the competent national authority or court, preserve the information for a further specified period, set by that authority or court where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d).	~~They~~***Providers*** shall, upon request from the competent ~~national~~ authority ~~or court~~, preserve the information for a further specified period, set by ~~that authority or court where~~***the requesting authoritywhere*** and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d).	~~They~~***Providers*** shall, upon request from the competent ~~national~~ authority ***[***or court***]***, preserve the information for a further specified period, set by ~~that~~***the requesting*** authority ~~or court~~ where and to the extent necessary for ongoing administrative or judicial redress proceedings, as referred to in paragraph 1, point (d). ITM 2.02 - ON HOLD (EP to check bracketed text). Text Origin: Council Mandate
Article 22(2), third subparagraph				
442	Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the information can be accessed and processed only for the purpose	Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to ***state of art*** appropriate technical and organisational ~~safeguards~~***measures***. Those safeguards shall ensure, in particular, that the information can be accessed and processed only for	***3.***Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the information can be accessed and processed only for the purpose	Providers shall ensure that the information referred to in paragraph 1 is preserved in a secure manner and that the preservation is subject to ***the state of art*** appropriate technical and organisational ~~safeguards~~***measures***. Those safeguards shall ensure, in particular, that the information can be accessed

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	for which it is preserved, that a high level of security is achieved and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary.	the purpose for which it is preserved, that ***unauthorised access to and unauthorised transfers of such personal data and other data are prevented, that*** a high level of security is achieved***, all access to the data is logged,*** and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary.	for which it is preserved, that a high level of security is achieved and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary.	and processed only for the purpose for which it is preserved, that a high level of security is achieved***, [all access to the data is logged],*** and that the information is deleted upon the expiry of the applicable time periods for preservation. Providers shall regularly review those safeguards and adjust them where necessary. ITM 2.02 - ON HOLD (Text provisionally agreed, CNS to check) Text Origin: EP Mandate
Article 23				
G 443	Article 23 Points of contact	Article 23 Points of contact	Article 23 Points of contact	Article 23 Points of contact Text Origin: Commission Proposal
Article 23(1)				
G 444	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation.	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation.	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation.	1.Providers of relevant information society services shall establish a single point of contact allowing for direct communication, by electronic means, with the Coordinating Authorities, other competent authorities of the Member States, the Commission and the EU Centre, for the application of this Regulation. Text Origin: Commission Proposal
Article 23(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
445	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers.	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers.	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers.	2.The providers shall communicate to the EU Centre and make public the information necessary to easily identify and communicate with their single points of contact, including their names, addresses, the electronic mail addresses and telephone numbers. Text Origin: Commission Proposal
Article 23(3), first subparagraph				
446	3.The providers shall specify in the information referred to in paragraph 2 the official language or languages of the Union, which can be used to communicate with their points of contact.	3.The providers shall specify in the information referred to in paragraph 2 the official language or languages of the Union, which can be used to communicate with their points of contact.	3.The providers shall specify in the information referred to in paragraph 2 the official language or languages of the Union, which can be used to communicate with their points of contact.	3.The providers shall specify in the information referred to in paragraph 2 the official language or languages of the Union, which can be used to communicate with their points of contact. Text Origin: Commission Proposal
Article 23(3), second subparagraph				
447	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established.	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established.	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established.	The specified languages shall include at least one of the official languages of the Member State in which the provider has its main establishment or, where applicable, where its legal representative resides or is established. Text Origin: Commission Proposal
Article 24				
448	Article 24	Article 24	Article 24	Article 24

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Legal representative	Legal representative	Legal representative	Legal representative Text Origin: Commission Proposal
Article 24(1)				
449	1.Providers of relevant information society services which do not have their main establishment in the Union shall designate, in writing, a natural or legal person as its legal representative in the Union.	1.Providers of relevant information society services which do not have their main establishment in the Union, ***but which offer services in the Union,*** shall designate, in writing, a natural or legal person as its legal representative in the Union.	1.Providers of relevant information society services which do not have their main establishment in the Union shall designate, in writing, a natural or legal person as its legal representative in the Union ***for the purposes of this Regulation***.	1.Providers of relevant information society services which do not have their main establishment in the Union, ***but which offer services in the Union,*** shall designate, in writing, a natural or legal person as its legal representative in the Union. Text Origin: EP Mandate
Article 24(2)				
450	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services.	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services.	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services.	2.The legal representative shall reside or be established in one of the Member States where the provider offers its services. Text Origin: Commission Proposal
Article 24(3)				
451	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of decisions issued in relation to this Regulation, including detection	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of decisions issued in relation to this Regulation, including detection	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of ***orders and*** decisions issued in relation to this Regulation, including	3.The provider shall mandate its legal representatives to be addressed in addition to or instead of the provider by the Coordinating Authorities, other competent authorities of the Member States and the Commission on all issues necessary for the receipt of, compliance with and enforcement of ***orders and*** decisions issued in relation to this Regulation~~, including~~

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	orders, removal orders and blocking orders.	orders, removal orders and blocking orders.	~~*detection orders,*~~ removal orders ~~*and*~~**,** blocking orders ***and delisting orders***.	~~*detection orders, removal orders and blocking orders*~~. Text Origin: Council Mandate
Article 24(4)				
452	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and comply with the decisions referred to in paragraph 3.	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and comply with the decisions referred to in paragraph 3.	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and ***to*** comply with the ***orders and*** decisions referred to in paragraph 3.	4.The provider shall provide its legal representative with the necessary powers and resources to cooperate with the Coordinating Authorities, other competent authorities of the Member States and the Commission and ***to*** comply with the ***orders and*** decisions referred to in paragraph 3. Text Origin: Council Mandate
Article 24(5)				
453	5.The designated legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider.	5.The designated legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider.	5.The ~~*designated*~~ legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider.	5.The designated legal representative may be held liable for non-compliance with obligations of the provider under this Regulation, without prejudice to the liability and legal actions that could be initiated against the provider. Text Origin: EP Mandate
Article 24(6)				
454	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the	6.The provider shall notify the name, address, the electronic mail address and telephone number of its legal representative designated pursuant to paragraph 1 to the Coordinating Authority in the Member State where that legal representative resides or is established, and to the

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	EU Centre. They shall ensure that that information is up to date and publicly available.	EU Centre. They shall ensure that that information is up to date and publicly available.	EU Centre. ~~*They*~~***The provider*** shall ensure that that information is up to date and publicly available.	EU Centre. ~~*They*~~***The provider*** shall ensure that that information is up to date and publicly available. Text Origin: Council Mandate
Article 24(7)				
455	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union.	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union.	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union.	7.The designation of a legal representative within the Union pursuant to paragraph 1 shall not amount to an establishment in the Union. Text Origin: Commission Proposal
CHAPTER III				
456	CHAPTER III SUPERVISION, ENFORCEMENT AND COOPERATION	CHAPTER III SUPERVISION, ENFORCEMENT AND COOPERATION	CHAPTER III SUPERVISION, ENFORCEMENT AND COOPERATION	CHAPTER III SUPERVISION, ENFORCEMENT AND COOPERATION Text Origin: Commission Proposal
Section 1				
457	Section 1 Coordinating Authorities for child sexual abuse issues	Section 1 Coordinating Authorities for child sexual abuse issues	Section 1 ~~*Coordinating*~~ Authorities ~~*for child sexual abuse issues*~~***of the Member States***	Section 1 Coordinating Authorities ~~*for child sexual abuse issues*~~***and other competent authorities of the Member States*** Text Origin: Commission Proposal
Article 25				
458	Article 25 Coordinating Authorities for child sexual abuse issues and other competent authorities	Article 25 Coordinating Authorities for child sexual abuse issues and other competent authorities	Article 25 Coordinating Authorities ~~*for child sexual abuse issues*~~ and other competent authorities	Article 25 Coordinating Authorities for child sexual abuse issues and other competent authorities

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				Text Origin: EP Mandate
Article 25(1)				
459	1.Member States shall, by [Date - two months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application and enforcement of this Regulation ('competent authorities').	1.Member States shall, by [Date - two months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application and enforcement of this Regulation ('competent authorities').	1.Member States shall, by [~~Date - two~~ ***eighteen*** months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application***, supervision*** and enforcement of this Regulation ~~('competent authorities')~~.	1.Member States shall, by [~~Date - two~~ ***/ eighteen*** months from the date of entry into force of this Regulation], designate one or more competent authorities as responsible for the application***, supervision*** and enforcement of this Regulation ~~('competent authorities')~~. ITM 23.02: ON HOLD (pending application of regulation) Text Origin: Council Mandate
Article 25(2), first subparagraph				
460	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority').	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority'). ***Where they designate only one competent authority, that competent authority shall be the Coordinating Authority.***	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority'). ***Where Member States designate only one competent authority, that competent authority shall be the Coordinating Authority.***	2.Member States shall, by the date referred to in paragraph 1, designate one of the competent authorities as their Coordinating Authority for child sexual abuse issues ('Coordinating Authority'). ***Where they designate only one competent authority, that competent authority shall be the Coordinating Authority.*** Text Origin: EP Mandate
Article 25(2), second subparagraph				
461	The Coordinating Authority shall be responsible for all matters related to application and enforcement of this Regulation in the Member State	The Coordinating Authority shall be responsible for all matters related to ***the*** application and enforcement of this Regulation in the Member State	The Coordinating Authority shall be responsible for all matters related to ***the*** application and enforcement of this Regulation in the Member State	The Coordinating Authority shall be responsible for all matters related to ***the*** application and enforcement of this Regulation in the Member State

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	concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities.	concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities.	concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities.	concerned, unless that Member State has assigned certain specific tasks or sectors to other competent authorities. Text Origin: Council Mandate
Article 25(2), third subparagraph				
462	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of those matters and for contributing to the effective, efficient and consistent application and enforcement of this Regulation throughout the Union.	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of those matters ***including prevention and combating of child sexual abuse, issuing of recommendations and good practices on improving digital skills and competences, education and awareness raising campaigns and the organisation of regular training activities for officials dealing with cases which involve children. The Coordinating Authority shall in any event be responsible*** ~~*and*~~ for contributing to the effective, efficient and consistent application and enforcement of this Regulation throughout the Union.	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of ~~*those*~~ ***all*** matters ~~*and for contributing*~~***relating*** to the ~~*effective, efficient and consistent*~~ application***, supervision*** and enforcement of this Regulation ~~*throughout the Union.*~~.	The Coordinating Authority shall in any event be responsible for ensuring coordination at national level in respect of ~~*those*~~ ***all*** matters ~~*and for contributing*~~***relating*** to the ~~*effective, efficient and consistent*~~ application***, supervision*** and enforcement of this Regulation ~~*throughout the Union.*~~. Text Origin: Council Mandate
Article 25(3)				
463	3.Where a Member State designates more than one competent authority in addition to the Coordinating Authority, it shall ensure that the respective tasks of those authorities and of the Coordinating Authority are clearly defined and that they	3.Where a Member State designates more than one competent authority in addition to the Coordinating Authority, it shall ensure that the respective tasks of those authorities and of the Coordinating Authority are clearly defined and that they	3.Where a Member State designates more than one competent authority ~~*in addition to the Coordinating Authority*~~, it shall ensure that the respective tasks of those authorities ***including those*** ~~*and*~~ of the Coordinating Authority**,** are clearly	3.Where a Member State designates more than one competent authority ~~*in addition to the Coordinating Authority*~~, it shall ensure that the respective tasks of those authorities ***including those*** ~~*and*~~ of the Coordinating Authority**,** are clearly

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	cooperate closely and effectively when performing their tasks. The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.	cooperate closely and effectively when performing their tasks. The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.	defined and that they cooperate closely and effectively when performing their tasks. ~~*The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.*~~**.**	defined and that they cooperate closely and effectively when performing their tasks. ~~*The Member State concerned shall communicate the name of the other competent authorities as well as their respective tasks to the EU Centre and the Commission.*~~**.** Text Origin: Council Mandate
Article 25(4)				
G 464	4.Within one week after the designation of the Coordinating Authorities and any other competent authorities pursuant to paragraph 1, Member States shall make publicly available, and communicate to the Commission and the EU Centre, the name of their Coordinating Authority. They shall keep that information updated.	4.Within one week after the designation of the Coordinating Authorities and any other competent authorities pursuant to paragraph 1, Member States shall make publicly available, and communicate to the Commission and the EU Centre, the name of their Coordinating Authority. They shall keep that information updated.	4.Within one week after the designation of the ***competent authorities, including the*** Coordinating Authorities ~~*and any other competent authorities pursuant to paragraph 1*~~ **,** Member States shall make publicly available, and communicate to the Commission and the EU Centre, the ~~*name of*~~***names of those authorities as well as*** their ~~*Coordinating Authority*~~***respective tasks or sectors***. They shall keep that information updated.	4.Within one week after the designation of the ***competent authorities, including the*** Coordinating Authorities ~~*and any other competent authorities pursuant to paragraph 1*~~ **,** Member States shall make publicly available, and communicate to the Commission and the EU Centre, the ~~*name of*~~***names of those authorities as well as*** their ~~*Coordinating Authority*~~***respective tasks or sectors***. They shall keep that information updated. Text Origin: Council Mandate
Article 25(5)				
G 465	5.Each Member State shall ensure that a contact point is designated or established within the Coordinating Authority's office to handle requests for clarification, feedback and other communications in relation to all matters related to the application and	5.Each Member State shall ensure that a contact point is designated or established within the Coordinating Authority's office to ***efficiently*** handle requests for clarification, feedback and other communications in relation to all matters related to	5.~~*Each*~~ Member ~~*State*~~***States*** shall ~~*ensure that*~~ ***establish*** a contact point ~~*is designated or established*~~ within ~~*the*~~***their*** Coordinating Authority's office to handle requests for clarification, feedback and other communications in relation to all	5.~~*Each*~~ Member ~~*State*~~***States*** shall ~~*ensure that*~~ ***establish*** a contact point ~~*is designated or established*~~ within ~~*the*~~***their*** Coordinating Authority's office to handle requests for clarification, feedback and other communications in relation to all

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	enforcement of this Regulation in that Member State. Member States shall make the information on the contact point publicly available and communicate it to the EU Centre. They shall keep that information updated.	the ***objectives*** application and enforcement of this Regulation in that Member State***, including communication with trusted organisations providing assistance to victims, education and awareness raising***. Member States shall make the information on the contact point ~~*publicly available*~~***widely accessible through gender-sensitive and age-appropriate online and offline awareness raising campaigns*** and communicate ~~*it*~~***this information*** to the EU Centre. They shall keep that information updated.	matters related to the application and enforcement of this Regulation ~~*in that Member State*~~. Member States shall make the information on the contact point publicly available and communicate it to the EU Centre. They shall keep that information updated.	matters related to the application and enforcement of this Regulation ~~*in that Member State*~~. Member States shall make the information on the contact point publicly available and ***widely accessible, and*** communicate it to the EU Centre. They shall keep that information updated. Text Origin: CY Acting Pcy2
Article 25(6)				
466	6. Within two weeks after the designation of the Coordinating Authorities pursuant to paragraph 2, the EU Centre shall set up an online register listing the Coordinating Authorities and their contact points. The EU Centre shall regularly publish any modification thereto.	6. Within two weeks after the designation of the Coordinating Authorities pursuant to paragraph 2, the EU Centre shall set up an online ***public*** register listing the Coordinating Authorities and their contact points. The EU Centre shall regularly publish any modification thereto.	6. ~~*Within two weeks after the designation of the Coordinating Authorities pursuant to paragraph 2,*~~ The EU Centre shall***, by [eighteen months and two weeks from the date of entry into force of this Regulation]*** set up an online register listing ***the competent authorities, including*** the Coordinating Authorities and their contact points***, designated pursuant to paragraphs 1, 2 and 5***. The EU Centre shall regularly publish any modification thereto.	6. ***[***Within two weeks after the designation of the Coordinating Authorities pursuant to paragraph 2~~*,*~~***]*** The EU Centre shall***, by [eighteen months and two weeks from the date of entry into force of this Regulation]*** set up an online ***public*** register listing ***the competent authorities, including*** the Coordinating Authorities and their contact points***, designated pursuant to paragraphs 1, 2 and 5***. The EU Centre shall regularly publish any modification thereto. ITM 23.02: ON HOLD (linked to period of application) Text Origin: Council Mandate

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Article 25(7)				
467	7.Coordinating Authorities may, where necessary for the performance of their tasks under this Regulation, request the assistance of the EU Centre in carrying out those tasks, in particular by requesting the EU Centre to:	7.Coordinating Authorities may, where necessary for the performance of their tasks under this Regulation, request the assistance of the EU Centre in carrying out those tasks, in particular by requesting the EU Centre to:	7. ~~Coordinating~~***Competent*** authorities- may, where necessary for the performance of their tasks under this Regulation, request ***through the Coordinating Authority,*** the assistance of the EU Centre in carrying out those tasks, in particular, by requesting the EU Centre to:	7.Coordinating Authorities, ***and other competent authorities through the Coordinating Authorities,*** may, where necessary for the performance of their tasks under this Regulation, request the assistance of the EU Centre in carrying out those tasks, in ~~particular by requesting~~***accordance with this Regulation.*** ***Other competent authorities may request the assistance of*** the EU Centre ~~to:~~***directly in situations of urgent operational need. Those authorities shall inform the Coordinating Authorities about such requests.*** Text Origin: Council Mandate
Article 25(7), point (a)				
468	(a) provide certain information or technical expertise on matters covered by this Regulation;	(a) provide certain information or technical expertise on matters covered by this Regulation, ***including knowledge and expertise on appropriate prevention techniques against child sexual abuse***;	(a) provide certain information or technical expertise on matters covered by this Regulation;	*deleted*
Article 25(7), point (aa)				
468a		***(aa) provide information and expertise on gender-sensitive and age-appropriate victim assistance and support and prevention of***		*deleted*

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		online child sexual abuse;		
Article 25(7), point (b)				
469	*(b)* assist in assessing, in accordance with Article 5(2), the risk assessment conducted or updated or the mitigation measures taken by a provider of hosting or interpersonal communication services under the jurisdiction of the Member State that designated the requesting Coordinating Authority;	(b) assist in assessing, in accordance with Article 5(2), the risk assessment conducted or updated or the mitigation measures taken by a provider of ***number-independent*** hosting or interpersonal communication services under the jurisdiction of the Member State that designated the requesting Coordinating Authority;	(b) assist in assessing, in accordance with Article 5(2), the risk assessment conducted or updated or the mitigation measures taken by a provider of hosting or interpersonal ~~communication~~***communications*** services under the jurisdiction of the Member State that designated the requesting ~~Coordinating~~***competent*** authority ;	*deleted*
Article 25(7), point (c)				
470	*(c)* verify the possible need to request competent national authorities to issue a detection order, a removal order or a blocking order in respect of a service under the jurisdiction of the Member State that designated that Coordinating Authority;	(c) verify the possible need to request competent national authorities to issue a detection order, a removal order or a blocking order in respect of a service under the jurisdiction of the Member State that designated that Coordinating Authority;	~~*(c) verify the possible need to request competent national authorities to issue a detection order, a removal order or a blocking order in respect of a service under the jurisdiction of the Member State that designated that Coordinating Authority;*~~	*deleted*
Article 25(7), point (d)				
471	*(d)* verify the effectiveness of a detection order or a removal order issued upon the request of the requesting Coordinating Authority.	(d) verify the effectiveness of a detection order or a removal order issued upon the request of the requesting Coordinating Authority.	~~*(d) verify the effectiveness of a detection order or a removal order issued upon the request of the requesting Coordinating Authority.*~~	*deleted*
Article 25(8)				
472	*8.*The EU Centre shall provide such assistance free of charge and in accordance with its tasks and obligations under this Regulation and insofar as its resources and	8.The EU Centre shall provide, ***without undue delay,*** such assistance free of charge and in accordance with its tasks and obligations under this Regulation	~~*8.The EU Centre shall provide such assistance free of charge and in accordance with its tasks and obligations under this Regulation and insofar as its resources and*~~	8.The EU Centre shall provide, ***without undue delay,*** such assistance free of charge and in accordance with its tasks and obligations under this Regulation

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	priorities allow.	and insofar as its resources and priorities allow.	~~priorities allow.~~	and insofar as its resources and priorities allow. Text Origin: EP Mandate
Article 25(8a)				
472a		***8a. Coordinating Authorities shall, where necessary for the performance of their tasks under this Regulation and in order to promote the generation and sharing of knowledge and best practices in accordance with Article 43(6), cooperate with organisations and networks with expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations and professional organisations of practitioners.***		*deleted*
Article 25(9)				
473	*9.*The requirements applicable to Coordinating Authorities set out in Articles 26, 27, 28, 29 and 30 shall also apply to any other competent authorities that the Member States designate pursuant to paragraph 1.	9.The requirements applicable to Coordinating Authorities set out in Articles 26, 27, 28, 29 and 30 shall also apply to any other competent authorities that the Member States designate pursuant to paragraph 1.	~~*9.The requirements applicable to Coordinating Authorities set out in Articles 26, 27, 28, 29 and 30 shall also apply to any other competent authorities that the Member States designate pursuant to paragraph 1.*~~	*deleted*
Article 26				
474	Article 26 Requirements for Coordinating Authorities	Article 26 Requirements for Coordinating Authorities	Article 26 Requirements for ~~*Coordinating*~~ ***competent*** authorities	Article 26 Requirements for Coordinating Authorities ***and other competent authorities*** Text Origin: CY Acting Pcy2

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 26(1)				
475	1.Member States shall ensure that the Coordinating Authorities that they designated perform their tasks under this Regulation in an objective, impartial, transparent and timely manner, while fully respecting the fundamental rights of all parties affected. Member States shall ensure that their Coordinating Authorities have adequate technical, financial and human resources to carry out their tasks.	1.Member States shall ensure that the Coordinating Authorities that they designated perform their tasks under this Regulation in an objective, impartial, transparent and timely manner, while fully respecting the fundamental rights of all parties affected. ~~*Member States*~~***They*** shall ***also*** ensure that their Coordinating Authorities ~~*have adequate*~~***perform their tasks with utmost respect and sensitivity towards victims and their legal representatives. Member States shall also ensure provide their Coordinating Authorities with all necessary resources, including sufficient*** technical, financial and human resources to ***efficiently*** carry out their tasks.	1.Member States shall ensure that the ~~*Coordinating*~~***competent*** authorities~~-~~ that they ***have*** designated ~~*perform*~~ ***carry out*** their tasks under this Regulation in an objective~~, impartial, transparent and timely~~ ***and non-discriminatory*** manner, while fully respecting~~ the~~ fundamental rights ~~*of all parties affected*~~. Member States shall ensure that~~ their Coordinating~~ ***those*** authorities have adequate technical, financial and human resources to carry out their tasks.	1.Member States shall ensure that the Coordinating Authorities ***and other competent authorities*** that they ***have*** designated ~~*perform*~~***carry out*** their tasks under this Regulation in an objective, impartial~~, transparent and timely~~ ***and non-discriminatory*** manner, while fully respecting ~~*the*~~ fundamental rights ~~*of all parties affected*~~. Member States shall ensure that ~~*their Coordinating*~~***those*** authorities have ~~*adequate*~~***appropriate*** technical, financial and human resources to ***efficiently*** carry out their tasks. Trilogue 16.04. - Further EP/CNS discussion required (Lines 475, 475a, 476-480) - Pending potential alignment with DSA Text Origin: CY Acting Pcy2
Article 26(1a)				
475a			***Those authorities shall not seek or take instructions from any other body in relation to carrying out their tasks under this Regulation.***	***1a. Coordinating Authorities and other competent authorities shall not seek or take instructions from any other body in relation to the carrying out of their tasks under this Regulation. This shall not prevent supervision in accordance with national constitutional law.*** Trilogue 16.04. - Further EP/CNS discussion required

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				(Lines 475, 475a, 476-480) - Pending potential alignment with DSA Text Origin: CY Acting Pcy2
Article 26(2)				
476	2.When carrying out their tasks and exercising their powers in accordance with this Regulation, the Coordinating Authorities shall act with complete independence. To that aim, Member States shall ensure, in particular, that they:	2.When carrying out their tasks and exercising their powers in accordance with this Regulation, the Coordinating Authorities shall act with complete independence. To that aim, Member States shall ensure, in particular, that they:	~~2.When carrying out their tasks and exercising their powers in accordance with this Regulation, the Coordinating Authorities shall act with complete independence. To that aim, Member States shall ensure, in particular, that they:~~	Trilogue 16.04. - Further EP/CNS discussion required (Lines 475, 475a, 476-480) - Pending potential alignment with DSA
Article 26(2), point (a)				
477	(a) are legally and functionally independent from any other public authority;	(a) are legally and functionally independent from any other public authority;	~~(a) are legally and functionally independent from any other public authority;~~	(a) ~~are legally and functionally independent from any other public authority;~~ Trilogue 16.04. - Further EP/CNS discussion required (Lines 475, 475a, 476-480) - Pending potential alignment with DSA
Article 26(2), point (b)				
478	(b) have a status enabling them to act objectively and impartially when carrying out their tasks under this Regulation;	(b) have a status enabling them to act objectively and impartially when carrying out their tasks under this Regulation;	~~(b) have a status enabling them to act objectively and impartially when carrying out their tasks under this Regulation;~~	Trilogue 16.04. - Further EP/CNS discussion required (Lines 475, 475a, 476-480) - Pending potential alignment with DSA
Article 26(2), point (c)				
479	(c) are free from any external influence, whether direct or indirect;	(c) are free from any external influence, whether direct or indirect;	~~(c) are free from any external influence, whether direct or indirect;~~	Trilogue 16.04. - Further EP/CNS discussion required (Lines 475, 475a, 476-480) - Pending potential alignment with DSA

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 26(2), point (d)				
480	(d) neither seek nor take instructions from any other public authority or any private party;	(d) neither seek nor take instructions from any other public authority or any private party;	~~(d) neither seek nor take instructions from any other public authority or any private party;~~	Trilogue 16.04. - Further EP/CNS discussion required (Lines 475, 475a, 476-480) - Pending potential alignment with DSA
Article 26(2),				
G 481	(e) are not charged with tasks relating to the prevention or combating of child sexual abuse, other than their tasks under this Regulation.	*deleted*	~~(e) are not charged with tasks relating to the prevention or combating of child sexual abuse, other than their tasks under this Regulation.~~	*deleted* Text Origin: Commission Proposal
Article 26(3)				
G *482*	*3.*Paragraph 2 shall not prevent supervision of the Coordinating Authorities in accordance with national constitutional law, to the extent that such supervision does not affect their independence as required under this Regulation.	3.Paragraph 2 shall not prevent supervision of the Coordinating Authorities in accordance with national constitutional law, to the extent that such supervision does not affect their independence as required under this Regulation.	3.Paragraph ~~2~~***1*** shall not prevent supervision of the ~~Coordinating~~ ***competent*** authorities in accordance with national ~~constitutional law, to the extent that such supervision does not affect their independence as required under this Regulation~~ ***law***.	*deleted* Text Origin: Council Mandate
Article 26(4)				
G *483*	*4.*The Coordinating Authorities shall ensure that relevant members of staff have the required qualifications, experience and technical skills to perform their duties.	4.The Coordinating Authorities shall ensure that relevant members of staff have the required qualifications, experience***, integrity*** and technical skills to perform their duties.	4.The ~~Coordinating~~***competent*** authorities shall ensure that ~~relevant members of~~ ***their*** staff have the required qualifications, experience***,*** and technical skills to ~~perform their duties~~ ***carry out the application, supervision and enforcement under this Regulation***.	4.The Coordinating ***Authorities and other competent*** authorities shall ensure that ~~relevant members of~~***their*** staff have the required qualifications, experience***, integrity*** and technical skills to ~~perform their duties~~ ***carry out the application, supervision and enforcement under this Regulation***. Text Origin: CY Acting Pcy2
Article 26(5)				

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484	5.The management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects.	5.***Without prejudice to national or the Union law regulating whistleblower protection,*** the management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects.	5.The management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects.	5.The management and other staff of the Coordinating Authorities shall, in accordance with Union or national law, be subject to a duty of professional secrecy both during and after their term of office, with regard to any confidential information which has come to their knowledge in the course of the performance of their tasks. Member States shall ensure that the management and other staff are subject to rules guaranteeing that they can carry out their tasks in an objective, impartial and independent manner, in particular as regards their appointment, dismissal, remuneration and career prospects. EP text to be addressed in Art. 1(3). Text Origin: Council Mandate
Section 2				
485	Section 2 Powers of Coordinating Authorities	Section 2 Powers of Coordinating Authorities	Section 2 Powers of ~~Coordinating~~ ***competent*** authorities ***of Member States***	Section 2 Powers of ~~Coordinating~~***competent*** authorities ***of Member States*** Text Origin: Council Mandate
Article 27				
486	Article 27 Investigatory powers	Article 27 Investigatory powers	Article 27 Investigatory ***and enforcement*** powers	Article 27 Investigatory ***and enforcement*** powers Text Origin: Council Mandate
Article 27(1)				

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487	1.Where needed for carrying out their tasks, Coordinating Authorities shall have the following powers of investigation, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	1.~~*Where needed for carrying out their tasks,*~~ Coordinating Authorities shall have the following ***investigatory*** powers ~~*of investigation,*~~ in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	1.Where needed ~~*for carrying*~~***in order to carry*** out their tasks ***under this Regulation, competent*** ~~*Coordinating*~~ authorities ***,*** shall have the following powers of investigation, in respect of ***conduct by*** providers of relevant information society services under the jurisdiction of ~~*the*~~ ***their*** Member State ~~*that designated them:*~~***:***	1.Where needed ~~*for carrying*~~***in order to carry*** out their tasks ***under this Regulation, competent*** ~~*Coordinating*~~ authorities ***,*** shall have the following powers of investigation, in respect of ***conduct by*** providers of relevant information society services under the jurisdiction of ~~*the*~~ ***their*** Member State ~~*that designated them:*~~***:*** Text Origin: CY Acting Pcy2
Article 27(1), point (a)				
488	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information within a reasonable time period;	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information within a reasonable time period;	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information ~~*within a reasonable time period*~~***without undue delay***;	(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, to provide such information ~~*within a reasonable time period*~~***without undue delay***; Text Origin: Council Mandate
Article 27(1), point (b)				
489	(b) the power to carry out on-site inspections of any premises that those providers or the other persons referred to in point (a) use for purposes related to their trade, business, craft or profession, or to request other public authorities to do so, in order to examine, seize, take	(b) the power to carry out ***remote or*** on-site inspections of any premises that those providers or the other persons referred to in point (a) use for purposes related to their trade, business, craft or profession, or ***the power*** to request ~~*other public authorities*~~***the competent judicial***	(b) the power to carry out ~~*on-site*~~ ***, or to request a judicial authority to order,*** inspections of any premises that those providers or ~~*the other*~~***those*** persons ~~*referred to in point (a)*~~ use for purposes related to their trade, business, craft or profession, or to request other public	(b) the power to carry out ~~*on-site*~~ ***, or to request a judicial authority to order,*** inspections of any premises that those providers or ~~*the other*~~***those*** persons ~~*referred to in point (a)*~~ use for purposes related to their trade, business, craft or profession, or to request other public

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	or obtain copies of information relating to a suspected infringement of this Regulation in any form, irrespective of the storage medium;	***authority of the Member State that designated it*** to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement of this Regulation in any form, irrespective of the storage medium;	authorities to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement ~~*of this Regulation*~~ in any form, irrespective of the storage medium;	authorities to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement ~~*of this Regulation*~~ in any form, irrespective of the storage medium; Text Origin: Council Mandate
Article 27(1), point (c)				
490	(c) the power to ask any member of staff or representative of those providers or the other persons referred to in point (a) to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers;	(c) the power to ask any member of staff or representative of those providers or the other persons referred to in point (a) to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers;	(c) the power to ask any member of staff or representative of those providers or ~~*the other*~~ ***those*** persons ~~*referred to in point (a)*~~ to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers ***by any technical means***;	(c) the power to ask any member of staff or representative of those providers or ~~*the other*~~ ***those*** persons ~~*referred to in point (a)*~~ to give explanations in respect of any information relating to a suspected infringement of this Regulation and to record the answers ***by any technical means***; Text Origin: Council Mandate
Article 27(1), point (d)				
491	(d) the power to request information, including to assess whether the measures taken to execute a detection order, removal order or blocking order comply with the requirements of this Regulation.	(d) the power to request information, including to assess whether the measures taken to execute a detection order, removal order or blocking order comply with the requirements of this Regulation.	(d) the power to request information, including to assess whether the measures taken to ***effectively mitigate the risk of online child sexual abuse or*** execute a ~~*detection order,*~~ removal order ~~*or,*~~ blocking ***order or delisting*** order comply with the requirements of this Regulation.	ITM 30.01 - ON HOLD Linked to voluntary detection/detection orders
Article 27(2)				
492	2.Member States may grant additional investigative powers to the Coordinating Authorities.	*deleted*	~~*2.Member States may grant additional investigative powers to the Coordinating Authorities.*~~	*deleted*

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Article 28				
493	Article 28 Enforcement powers	Article 28 Enforcement powers	~~*Article 28*~~ ~~*Enforcement powers*~~	~~*Article 28*~~ ~~*Enforcement powers*~~ Text Origin: Council Mandate
Article 28(1)				
494	1.Where needed for carrying out their tasks, Coordinating Authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	1.~~*Where needed for carrying out their tasks,*~~ Coordinating Authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them:	~~*1*~~***2***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~ ***their*** Member State ~~*that designated them*~~:	1.Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall have the following enforcement powers, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~ ***their*** Member State ~~*that designated them*~~: Text Origin: CY Acting Pcy2
Article 28(1), point (a)				
495	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding;	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding;	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding;	(a) the power to accept the commitments offered by those providers in relation to their compliance with this Regulation and to make those commitments binding; Text Origin: Commission Proposal
Article 28(1), point (b)				
496	(b) the power to order the cessation of infringements of this Regulation and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end;	(b) the power to order ***specific measures to bring about*** the cessation of infringements of this Regulation and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end;	(b) the power to order the cessation of infringements ~~*of this Regulation*~~ and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end ***or to request a judicial authority to do so***;	(b) the power to order the cessation of infringements ~~*of this Regulation*~~ and, where appropriate, to impose remedies proportionate to the infringement and necessary to bring the infringement effectively to an end ***or to request a judicial authority to do so***;

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				Text Origin: Council Mandate
Article 28(1), point (c)				
497	(c) the power to impose fines, or request a judicial authority in their Member State to do so, in accordance with Article 35 for infringements of this Regulation, including non-compliance with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(c) the power to impose fines~~, or request a judicial authority in their Member State to do so,~~ in accordance with Article 35 for infringements of this Regulation, including non-compliance with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(c) the power to impose fines, or request a judicial authority in their Member State to do so, in accordance with Article 35**, for failure to comply with** ~~for infringements of~~ this Regulation, including ~~non-compliance with~~ any of the orders issued pursuant to ~~Article 27 and to point (b)~~**paragraph 1** of this ~~paragraph~~**Article** ;	(c) the power to impose fines, or request a judicial authority in their Member State to do so, in accordance with Article 35**, for failure to comply with** ~~for infringements of~~ this Regulation, including ~~non-compliance with~~ any of the orders issued pursuant to ~~Article 27 and to point (b)~~**paragraph 1** of this ~~paragraph~~**Article** ; Text Origin: Council Mandate
Article 28(1), point (d)				
498	(d) the power to impose a periodic penalty payment in accordance with Article 35 to ensure that an infringement of this Regulation is terminated in compliance with an order issued pursuant to point (b) of this paragraph or for failure to comply with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(d) the power to impose a periodic penalty payment in accordance with Article 35 to ensure that an infringement of this Regulation is terminated in compliance with an order issued pursuant to point (b) of this paragraph or for failure to comply with any of the orders issued pursuant to Article 27 and to point (b) of this paragraph;	(d) the power to impose a periodic penalty payment**, or to request a judicial authority to do so,** in accordance with Article 35**,** to ensure that an infringement ~~of this Regulation~~ is terminated in compliance with an order issued pursuant to point (b) of this ~~paragraph~~**subparagraph** or for failure to comply with any of the orders issued pursuant to ~~Article 27 and to point (b)~~**paragraph 1** of this ~~paragraph~~**Article.** ;	(d) the power to impose a periodic penalty payment**, or to request a judicial authority to do so,** in accordance with Article 35**,** to ensure that an infringement ~~of this Regulation~~ is terminated in compliance with an order issued pursuant to point (b) of this ~~paragraph~~**subparagraph** or for failure to comply with any of the orders issued pursuant to ~~Article 27 and to point (b)~~**paragraph 1** of this ~~paragraph~~**Article.** ; Text Origin: Council Mandate
Article 28(1), point (e)				
499	(e) the power to adopt interim measures to avoid the risk of serious	(e) the power to adopt **appropriate, reasonable, and proportionate**	(e) the power to adopt interim measures **or to request the**	(e) the power to adopt interim measures **or to request the**

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	harm.	interim measures to ~~avoid the risk of~~***prevent*** serious harm.	***competent national judicial authority to do so,*** to avoid the risk of serious harm.	***competent national judicial authority to do so,*** to avoid the risk of serious harm. Text Origin: Council Mandate
Article 28(1), point (ea)				
499a			***As regards point (b) of the first subparagraph of this paragraph, the competent authorities shall take into account the assessment and the determination of a significant remaining risk with respect to parts or components of a service referred to in Article 5(2) when imposing such remedies, which may include:***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (eb)				
499b			***(i) re-conducting or updating the risk assessment in accordance with Article 3, including, where appropriate, by modifying the methodology used to conduct the risk assessment, and report thereon in accordance with Article 5;***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (ec)				
499c			***(ii) reinforcing the provider's internal processes or the internal supervision of the functioning of the service;***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.*

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				Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.
Article 28(1), point (ed)				
499d			***(iii) initiating or adjusting cooperation, in accordance with competition law, with other providers of hosting services or providers of interpersonal communications services, public authorities, civil society organisations or, where applicable, entities awarded the status of trusted flaggers in accordance with Article 22 of Regulation (EU) 2022/2065;***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (ee)				
499e			***(iv) initiating or adjusting functionalities that enable users to notify online child sexual abuse to the provider through tools that are easily accessible and age-appropriate;***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (ef)				
499f			***(v) initiating or adjusting functionalities that enable users to control what information about***	*deleted*

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			them is shared to other users and how other users may contact them, and introducing default suitable privacy settings for users who are children;	*Bilateral meeting (30.03): Provisionally agreed. CNS to check. Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (eg)				
499g			***(vi) initiating or adjusting functionalities that provide information to users about notification mechanisms and direct users to helplines and trusted organisations, where users detect material or conversations indicating potential online child sexual abuse;***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check. Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (eh)				
499h			***(vii) initiating or adjusting functionalities that allow the providers to collect statistical data to better assess the risks and the effectiveness of the mitigation measures; those data shall not include any personal data.***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check. Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (ei)				
499i			***The competent authority may request the EU Centre for an opinion on technical aspects of the***	*deleted* *Bilateral meeting (30.03): Provisionally*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			remedies that it intends to impose pursuant to point (b) of the first subparagraph of this paragraph.	*agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (ej)				
499j			***A provider that is required to perform the actions specified in points (ii) to (vii) of point (b) of the first subparagraph of this paragraph, shall, within a period set by the competent authority, re-conduct or update the risk assessment in accordance with Article 3 so as to take account of those actions, and report thereon in accordance with Article 5. In the report on the re-conducted or updated risk assessment the provider shall also specify and explain the actions performed pursuant to this subparagraph.***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*
Article 28(1), point (ek)				
499k			***The competent authority shall set a reasonable period, that may deviate from the periods specified in Articles 3(4) and 5(1) taking into account the complexity of the required actions, for the performance of the actions including the reporting specified in point (b) of the first subparagraph of this paragraph.***	*deleted* *Bilateral meeting (30.03): Provisionally agreed. CNS to check.* *Lines 499a to 499k (Article 27(2)) will be deleted and Article 5(4) (line 191) will be reinstated to prevent parallel enforcement structures and ensure alignment with DSA. Linked to line 187.*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 28(2)				
500	*2.*Member States may grant additional enforcement powers to the Coordinating Authorities.	*deleted*	~~*2.Member States may grant additional enforcement powers to the Coordinating Authorities.*~~	*deleted*
Article 28(3)				
501	*3.*As regards paragraph 1, points (c) and (d), Coordinating Authorities shall have the enforcement powers set out in those points also in respect of the other persons referred to in Article 27, for failure to comply with any of the orders issued to them pursuant to that Article.	3.As regards paragraph 1, points (c) and (d), Coordinating Authorities shall have the enforcement powers set out in those points also in respect of the other persons referred to in Article 27, for failure to comply with any of the orders issued to them pursuant to that Article.	As regards ~~*paragraph 1,*~~ points (c) and (d) ***of the first subparagraph of this paragraph, competent***~~*Coordinating*~~ authorities ***shall*** have the enforcement powers set out in those points ~~*also*~~ in respect of the other persons referred to in ~~*Article 27*~~***paragraph 1***, for failure to comply with any of the orders issued to them pursuant to that ~~*Article*~~***paragraph***.	~~*3.*~~As regards ~~*paragraph 1,*~~ points (c) and (d) ***of the first subparagraph of this paragraph, competent***~~*Coordinating*~~ authorities ***shall*** have the enforcement powers set out in those points ~~*also*~~ in respect of the other persons referred to in ~~*Article 27*~~***paragraph 1***, for failure to comply with any of the orders issued to them pursuant to that ~~*Article*~~***paragraph***. Text Origin: CY Acting Pcy2
Article 28(4)				
502	4.They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable time period, the fines or periodic payments that may be imposed for failure to comply and redress possibilities.	4.They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable time period, the fines or periodic payments that may be imposed for failure to comply and redress possibilities.	They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable ~~*time*~~ period, the fines or periodic payments that may be imposed for failure to comply and ~~*redress*~~***the*** possibilities ***for redress***.	4.They shall only exercise those enforcement powers after having provided those other persons in good time with all relevant information relating to such orders, including the applicable ~~*time*~~ period, the fines or periodic payments that may be imposed for failure to comply and ~~*redress*~~***the*** possibilities ***for redress***. Text Origin: Council Mandate
Article 29				
503	Article 29 Additional enforcement powers	Article 29 Additional enforcement powers	~~*Article 29*~~ ~~*Additional enforcement powers*~~	~~*Article 29*~~ ~~*Additional enforcement powers*~~ Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 29(1)				
504	1.Where needed for carrying out their tasks, Coordinating Authorities shall have the additional enforcement powers referred to in paragraph 2, in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them, provided that:	1.~~*Where needed for carrying out their tasks,*~~ Coordinating Authorities shall have the additional enforcement powers referred to in paragraph 2~~,~~ in respect of providers of relevant information society services under the jurisdiction of the Member State that designated them, provided that:	~~*1*~~***3***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall ~~*have the additional enforcement powers referred to in paragraph 2*~~, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~***their*** Member State~~ *that designated them, provided that:*~~**,** ***where***	~~*1*~~***3***. Where needed for carrying out their tasks ***under this Regulation, competent***~~*, Coordinating*~~ authorities shall ~~*have the additional enforcement powers referred to in paragraph 2*~~, in respect of providers of relevant information society services under the jurisdiction of ~~*the*~~***their*** Member State~~ *that designated them, provided that:*~~**,** ***where*** Text Origin: CY Acting Pcy2
Article 29(1), point (a)				
505	(a) all other powers pursuant to Articles 27 and 28 to bring about the cessation of an infringement of this Regulation have been exhausted;	*deleted*	~~*(a)*~~ all other powers pursuant to ~~*Articles 27 and 28*~~***this Article*** to bring about the cessation of an infringement~~ *of this Regulation*~~ have been exhausted~~.~~	~~*(a)*~~ all other powers pursuant to ~~*Articles 27 and 28*~~***this Article*** to bring about the cessation of an infringement~~ *of this Regulation*~~ have been exhausted~~.~~ Text Origin: Council Mandate
Article 29(1), point (b)				
506	(b) the infringement persists;	(b) ~~*the*~~***an*** infringement ***of this Regulation*** persists; ***and***	~~*(b)*~~ ***and*** the infringement ~~*persists;*~~***has not been remedied or is continuing and is***	~~*(b)*~~ ***and*** the infringement ~~*persists;*~~***has not been remedied or is continuing and is*** Text Origin: Council Mandate
Article 29(1), point (c)				
507	(c) the infringement causes serious harm which cannot be avoided through the exercise of other powers available under Union or national law.	(c) the infringement causes serious harm which cannot be avoided through the exercise of other powers available under Union or national law.	~~*(c) the infringement causes*~~***causing*** serious harm which cannot be avoided through the exercise of other powers available under Union or national law~~.~~ ***, also have the power***	~~*(c) the infringement causes*~~***causing*** serious harm which cannot be avoided through the exercise of other powers available under Union or national law~~.~~ ***, also have the power***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			to take the following measures:	***to take the following measures:*** Text Origin: Council Mandate
Article 29(2)				
508	2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:	2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:	~~*2.Coordinating Authorities shall have the additional enforcement powers to take the following measures:*~~	2.~~*Coordinating Authorities shall have the additional enforcement powers to take the following measures:*~~ Text Origin: EP Mandate
Article 29(2), point (a)				
509	(a) require the management body of the providers to examine the situation within a reasonable time period and to:	(a) require the management body of the providers to examine the situation within a reasonable time period and to:	(a) ***to*** require the management body of the providers***, without undue delay,*** to examine the situation ~~*within a reasonable time period and to:*~~**,**	(a) ***to*** require the management body of the providers***, without undue delay,*** to examine the situation ~~*within a reasonable time period and to:*~~**,** Text Origin: Council Mandate
Article 29(2), point (a)(i)				
510	(i) adopt and submit an action plan setting out the necessary measures to terminate the infringement;	(i) adopt and submit an action plan setting out the necessary measures to terminate the infringement;	~~*(i)*~~ adopt and submit an action plan setting out the necessary measures to terminate the infringement;	~~*(i)*~~ adopt and submit an action plan setting out the necessary measures to terminate the infringement; Text Origin: Council Mandate
Article 29(2), point (a)(ii)				
511	(ii) ensure that the provider takes those measures;	(ii) ensure that the provider takes those measures;	~~*(ii)*~~ ensure that the provider takes those measures; ***and***	~~*(ii)*~~ ensure that the provider takes those measures; ***and*** Text Origin: Council Mandate
Article 29(2), point (a)(iii)				
512	(iii)report on the measures taken;	(iii)report on the measures taken;	~~*(iii)*~~report on the measures taken;	~~*(iii)*~~report on the measures taken; Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 29(2), point (b)				
513	(b) request the competent judicial authority or independent administrative authority of the Member State that designated the Coordinating Authority to order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place, where the Coordinating Authority considers that:	(b) request the competent judicial ~~authority or independent administrative~~ authority of the Member State that designated the Coordinating Authority to order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place, where the Coordinating Authority considers that:	(b) ***where the competent authorities consider that a provider of relevant information society services has not sufficiently complied with the requirements of point (a) of the first subparagraph of this paragraph, that the infringement has not been remedied or is continuing and is causing serious harm, and that that infringement entails a criminal offence involving a threat to the life or safety of persons or the infringement results in the regular and structural facilitation of child sexual abuse offences, to*** request ***that*** the competent judicial authority or ***other*** independent administrative authority of ~~*the*~~ ***its*** Member State ~~*that designated the Coordinating Authority to*~~ order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place~~, *where the Coordinating Authority considers that:*~~**.**	(b) ***where the competent authorities consider that a provider of relevant information society services has not sufficiently complied with the requirements of point (a) of the first subparagraph of this paragraph, that the infringement has not been remedied or is continuing and is causing serious harm, and that that infringement entails a criminal offence involving a threat to the life or safety of persons or the infringement results in the regular and structural facilitation of child sexual abuse offences, to*** request ***that*** the competent judicial authority or ***other*** independent administrative authority of ~~*the*~~ ***its*** Member State ~~*that designated the Coordinating Authority to*~~ order the temporary restriction of access of users of the service concerned by the infringement or, only where that is not technically feasible, to the online interface of the provider on which the infringement takes place~~, *where the Coordinating Authority considers that:*~~**.** Text Origin: Council Mandate
Article 29(2), point (b)(i)				
514	(i) the provider has not sufficiently complied with the requirements of point (a);	(i) the provider has not sufficiently complied with the requirements of point (a);	~~*(i) the provider has not sufficiently complied with the requirements of point (a);*~~	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 29(2), point (b)(ii)				
515	*(ii)* the infringement persists and causes serious harm;	(ii) the infringement persists and causes serious harm; ***and***	~~*(ii) the infringement persists and causes serious harm;*~~	*deleted*
Article 29(2), point (b)(iii)				
516	*(iii)* the infringement results in the regular and structural facilitation of child sexual abuse offences.	(iii) the infringement results in the regular and structural facilitation of child sexual abuse offences.	~~*(iii) the infringement results in the regular and structural facilitation of child sexual abuse offences.*~~	*deleted*
Article 29(3), first subparagraph				
517	*3.* The Coordinating Authority shall, prior to submitting the request referred to in paragraph 2, point (b), invite interested parties to submit written observations on its intention to submit that request within a reasonable time period set by that Coordinating Authority. That time period shall not be less than two weeks.	3. The Coordinating Authority shall, prior to submitting the request referred to in paragraph 2, point (b), invite interested parties to submit written observations on its intention to submit that request within a reasonable time period set by that Coordinating Authority. That time period shall not be less than two weeks.	The ~~*Coordinating Authority*~~ ***competent authorities*** shall, prior to submitting the request referred to in ~~*paragraph 2*~~ , point (b) ***of the first subparagraph of this paragraph***, invite interested parties to submit written observations ~~*on its intention to submit that request*~~ within a ~~*reasonable time*~~ period ~~*set by that Coordinating Authority. That time period*~~***that*** shall not be less than two weeks***, describing the measures that it intends to request and identifying the intended addressee or addressees thereof. The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings before the competent judicial authority or other independent administrative authority.***	3. The ~~*Coordinating Authority*~~ ***competent authorities*** shall, prior to submitting the request referred to in ~~*paragraph 2,*~~ point (b) ***of the first subparagraph of this paragraph***, invite interested parties to submit written observations ~~*on its intention to submit that request*~~ within a ~~*reasonable time*~~ period ~~*set by that Coordinating Authority. That time period*~~***that*** shall not be less than two weeks***, describing the measures that it intends to request and identifying the intended addressee or addressees thereof. The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings before the competent judicial authority or other independent administrative authority.*** Text Origin: CY Acting Pcy2

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 29(3), second subparagraph				
518	The invitation to submit written observations shall:	The invitation to submit written observations shall:	~~*The invitation to submit written observations shall:*~~	*deleted*
Article 29(3), second subparagraph, point (a)				
519	*(a)* describe the measures that it intends to request;	(a) describe the measures that it intends to request;	~~*(a) describe the measures that it intends to request;*~~	*deleted*
Article 29(3), second subparagraph, point (b)				
520	*(b)* identify the intended addressee or addressees thereof.	(b) identify the intended addressee or addressees thereof.	~~*(b) identify the intended addressee or addressees thereof.*~~	*deleted*
Article 29(3), third subparagraph				
521	The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings regarding the request.	The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings regarding the request.	~~*The provider, the intended addressee or addressees and any other third party demonstrating a legitimate interest shall be entitled to participate in the proceedings regarding the request.*~~	*deleted*
Article 29(4), first subparagraph				
522	*4.*Any measure ordered upon the request referred to in paragraph 2, point (b), shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned.	4.Any measure ordered upon the request referred to in paragraph 2, point (b), shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned.	Any measure ordered ~~*upon the request referred to in paragraph 2, point (b),*~~ shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned.	4.Any measure ordered ~~*upon the request referred to in paragraph 2, point (b),*~~ shall be proportionate to the nature, gravity, recurrence and duration of the infringement, without unduly restricting access to lawful information by users of the service concerned. Text Origin: Council Mandate
Article 29(4), second subparagraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
523	The temporary restriction shall apply for a period of four weeks, subject to the possibility for the competent judicial authority, in its order, to allow the Coordinating Authority to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority.	The temporary restriction shall apply for a period of four weeks, subject to the possibility for the competent judicial ~~authority, in its order, to allow the Coordinating~~ authority to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority.	The ~~temporary~~ restriction ***of access*** shall ~~apply~~***be*** for a period of four weeks, subject to the possibility for the competent judicial authority ***or other independent administrative authority of the Member State***, in its order, to allow the ~~Coordinating Authority~~ ***competent authorities*** to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority ***or other independent administrative authority***.	The ~~temporary~~ restriction ***of access*** shall ~~apply~~***be*** for a period of four weeks, subject to the possibility for the competent judicial authority ***or other independent administrative authority of the Member State***, in its order, to allow the ~~Coordinating Authority~~ ***competent authorities*** to extend that period for further periods of the same lengths, subject to a maximum number of extensions set by that judicial authority ***or other independent administrative authority***. Text Origin: Council Mandate
Article 29(4), third subparagraph				
524	The Coordinating Authority shall only extend the period where it considers, having regard to the rights and legitimate interests of all parties affected by the restriction and all relevant facts and circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to it, that both of the following conditions have been met:	The Coordinating Authority shall only extend the period where it considers, having regard to the rights and legitimate interests of all parties affected by the restriction and all relevant facts and circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to it, that both of the following conditions have been met:	***The competent authorities referred to in the second subparagraph of this paragraph*** ~~The Coordinating Authority~~ shall only extend the period where ~~it considers~~, having regard to the rights and ~~legitimate~~ interests of all parties affected by ~~the~~ ***that*** restriction and all relevant ~~facts and~~ circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to ~~it~~***them*** , ***they consider*** that both of the following conditions have been met:	***The competent authorities referred to in the second subparagraph of this paragraph*** ~~The Coordinating Authority~~ shall only extend the period where ~~it considers~~, having regard to the rights and ~~legitimate~~ interests of all parties affected by ~~the~~ ***that*** restriction and all relevant ~~facts and~~ circumstances, including any information that the provider, the addressee or addressees and any other third party that demonstrated a legitimate interest may provide to ~~it~~***them*** , ***they consider*** that both of the following conditions have been met: Text Origin: CY Acting Pcy2

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 29(4), third subparagraph, point (a)				
525	(a) the provider has failed to take the necessary measures to terminate the infringement;	(a) the provider has failed to take the necessary ***and proportionate*** measures to terminate the infringement;	(a) the provider has failed to take the necessary measures to terminate the infringement;	(a) the provider has failed to take the necessary measures to terminate the infringement; Text Origin: Council Mandate
Article 29(4), third subparagraph, point (b)				
526	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist.	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist.	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist.	(b) the temporary restriction does not unduly restrict access to lawful information by users of the service, having regard to the number of users affected and whether any adequate and readily accessible alternatives exist. Text Origin: Commission Proposal
Article 29(4), fourth subparagraph				
527	Where the Coordinating Authority considers that those two conditions have been met but it cannot further extend the period pursuant to the second subparagraph, it shall submit a new request to the competent judicial authority, as referred to in paragraph 2, point (b).	Where the Coordinating Authority considers that those two conditions have been met but it cannot further extend the period pursuant to the second subparagraph, it shall submit a new request to the competent judicial authority, as referred to in paragraph 2, point (b).	Where the ~~*Coordinating*~~ ***competent*** authority, considers that ~~*those two*~~***the*** conditions ***set out in the points (a) and (b) of the fifth subparagraph of this paragraph*** have been met but it cannot further extend the period pursuant to the ~~*second*~~***fourth*** subparagraph ***of this paragraph***, it shall submit a new request to the ~~*competent*~~ ***judicial authority or other independent administrative*** authority, as referred to in ***point (b) of the first subparagraph of this*** paragraph ~~*2, point (b)*~~.	Where the ~~*Coordinating*~~ ***competent*** authority, considers that ~~*those two*~~***the*** conditions ***set out in the points (a) and (b) of the fifth subparagraph of this paragraph*** have been met but it cannot further extend the period pursuant to the ~~*second*~~***fourth*** subparagraph ***of this paragraph***, it shall submit a new request to the ~~*competent*~~ ***judicial authority or other independent administrative*** authority, as referred to in ***point (b) of the first subparagraph of this*** paragraph ~~*2, point (b)*~~. Text Origin: CY Acting Pcy2

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 30				
528	Article 30 Common provisions on investigatory and enforcement powers	Article 30 Common provisions on investigatory and enforcement powers	~~*Article 30*~~ ~~*Common provisions on investigatory and enforcement powers*~~	~~*Article 30*~~ ~~*Common provisions on investigatory and enforcement powers*~~ Text Origin: Council Mandate
Article 30(1)				
529	1.The measures taken by the Coordinating Authorities in the exercise of their investigatory and enforcement powers referred to in Articles 27, 28 and 29 shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the infringement of this Regulation or suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned, where applicable.	1.The measures taken by the Coordinating Authorities in the exercise of their investigatory and enforcement powers referred to in Articles 27, 28 and 29 shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the infringement of this Regulation or suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned, where applicable.	~~1~~*4*. The measures taken by the ~~*Coordinating*~~ ***competent*** authorities in the exercise of their investigatory and enforcement powers ~~*referred to in Articles 27, 28 and 29*~~ ***listed in paragraphs 1, 2 and 3*** shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the infringement ~~*of this Regulation*~~ or suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned~~,~~ where ~~*applicable*~~***relevant***.	~~1~~*4*. The measures taken by the ~~*Coordinating*~~ ***competent*** authorities in the exercise of their investigatory and enforcement powers ~~*referred to in Articles 27, 28 and 29*~~ ***listed in paragraphs 1, 2 and 3*** shall be effective, dissuasive and proportionate, having regard, in particular, to the nature, gravity, recurrence and duration of the infringement ~~*of this Regulation*~~ or suspected infringement to which those measures relate, as well as the economic, technical and operational capacity of the provider of relevant information society services concerned~~,~~ where ~~*applicable*~~***relevant***. Text Origin: CY Acting Pcy2
Article 30(2)				
530	2.Member States shall ensure that any exercise of the investigatory and enforcement powers referred to in Articles 27, 28 and 29 is subject to adequate safeguards laid down in the applicable national law to respect the	2.Member States shall ensure that any exercise of the investigatory and enforcement powers referred to in Articles 27, 28 and 29 is subject to adequate safeguards laid down in the applicable national law to respect the	~~2~~*5*. Member States ***shall lay down specific rules and procedures for the exercise of the powers pursuant to paragraphs 1, 2 and 3 and*** shall ensure that any exercise of ~~*the investigatory and enforcement*~~ ***those***	~~2~~*5*. Member States ***shall lay down specific rules and procedures for the exercise of the powers pursuant to paragraphs 1, 2 and 3 and*** shall ensure that any exercise of ~~*the investigatory and enforcement*~~ ***those***

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	fundamental rights of all parties affected. In particular, those measures shall only be ***targeted and precise, and*** taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all parties affected.	fundamental rights of all parties affected. In particular, those measures shall ~~only~~ be ***targeted and precise, and*** taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all parties affected.	powers ~~referred to in Articles 27, 28 and 29~~ is subject to adequate safeguards laid down in the applicable national law ~~to respect the fundamental rights of all parties affected~~***in compliance with the Charter and with the general principles of Union law*** . In particular, those measures shall only be taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all ~~parties~~ affected ***parties***.	powers ~~referred to in Articles 27, 28 and 29~~ is subject to adequate safeguards laid down in the applicable national law ~~to respect the fundamental rights of all parties affected~~***in compliance with the Charter and with the general principles of Union law*** . In particular, those measures shall only be taken in accordance with the right to respect for private life and the rights of defence, including the rights to be heard and of access to the file, and subject to the right to an effective judicial remedy of all ~~parties~~ affected ***parties***. Text Origin: Council Mandate
Article 31				
531	Article 31 Searches to verify compliance	Article 31 Searches to verify compliance	Article 31 Searches to verify compliance	Article 31 Searches to verify compliance Text Origin: Commission Proposal
Article 31, first paragraph				
532	Coordinating Authorities shall have the power to carry out searches on publicly accessible material on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify whether the providers of	Coordinating Authorities shall have the power to carry out searches on publicly accessible ~~material~~***content*** on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify whether the providers of	~~Coordinating~~***The competent*** authorities shall have the power to carry out searches on publicly accessible material on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify	~~Coordinating~~***The competent*** authorities shall have the power to carry out searches on publicly accessible material on hosting services to detect the dissemination of known or new child sexual abuse material, using the indicators contained in the databases referred to in Article 44(1), points (a) and (b), where necessary to verify

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	hosting services under the jurisdiction of the Member State that designated the Coordinating Authorities comply with their obligations under this Regulation.	hosting services under the jurisdiction of the Member State that designated the Coordinating Authorities comply with their obligations under this Regulation.	whether the providers of hosting services under the jurisdiction of the Member State that designated the ~~*Coordinating*~~***competent*** authorities comply with their obligations under this Regulation.	whether the providers of hosting services under the jurisdiction of the Member State that designated the ~~*Coordinating*~~***competent*** authorities comply with their obligations under this Regulation. Text Origin: CY Acting Pcy2
Article 32				
G 533	Article 32 Notification of known child sexual abuse material	Article 32 Notification of known child sexual abuse material	*deleted*	Article 32 Notification of known child sexual abuse material Text Origin: Commission Proposal
Article 32, first paragraph				
G 534	Coordinating Authorities shall have the power to notify providers of hosting services under the jurisdiction of the Member State that designated them of the presence on their service of one or more specific items of known child sexual abuse material and to request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	Coordinating Authorities shall have the power to notify providers of hosting services under the jurisdiction of the Member State that designated them of the presence on their service of one or more specific items of known child sexual abuse material and to request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	*deleted*	Coordinating Authorities shall have the power ***to send a referral*** to notify providers of hosting services under the jurisdiction of the Member State that designated ***them, alerting*** them of the presence on their service of one or more specific items of known child sexual abuse material and to request them to remove or disable access to that item or those items, for the providers' voluntary consideration.
Article 32, second paragraph				
G 535	The request shall clearly set out the identification details of the Coordinating Authority making the request and information on its contact point referred to in Article	The request shall clearly set out the identification details of the Coordinating Authority making the request and information on its contact point referred to in Article	*deleted*	*deleted*

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	25(5), the necessary information for the identification of the item or items of known child sexual abuse material concerned, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	25(5), the necessary information for the identification of the item or items of known child sexual abuse material concerned, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.		
Section 3				
536	*Section 3* Other provisions on enforcement	Section 3 Other provisions on enforcement	Section 3 Other provisions on enforcement	Section 3 Other provisions on enforcement Text Origin: Commission Proposal
Article 33				
537	Article 33 Jurisdiction	Article 33 Jurisdiction	Article 33 Jurisdiction	Article 33 Jurisdiction Text Origin: Commission Proposal
Article 33(1)				
538	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation.	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation.	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation.	1.The Member State in which the main establishment of the provider of relevant information society services is located shall have jurisdiction for the purposes of this Regulation. Text Origin: Commission Proposal
Article 33(2), first subparagraph				
539	2.A provider of relevant information society services which does not have an establishment in the Union shall	2.A provider of relevant information society services which does not have an establishment in the Union shall	2.A provider of relevant information society services which does not have an establishment in the Union shall	2.A provider of relevant information society services which does not have an establishment in the Union shall

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	be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established.	be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established.	be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established.	be deemed to be under the jurisdiction of the Member State where its legal representative resides or is established. Text Origin: Commission Proposal
Article 33(2), second subparagraph				
540	Where a provider failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle of ne bis in idem is respected.	Where a provider ***which does not have its main establishment in the Union*** failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle of ne bis in idem is respected.	Where a provider failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle of ne bis in idem is respected.	Where a provider failed to appoint a legal representative in accordance with Article 24, all Member States shall have jurisdiction. Where a Member State decides to exercise jurisdiction under this subparagraph, it shall inform all other Member States and ensure that the principle of ne bis in idem is respected. Text Origin: Council Mandate
Article 34				
541	Article 34 Right of users of the service to lodge a complaint	Article 34 Right of users of the service to lodge a complaint	Article 34 Right ~~*of users of the service*~~ to lodge a complaint	Article 34 Right of users of the service to lodge a complaint Text Origin: Commission Proposal
Article 34(1)				
542	1.Users shall have the right to lodge a complaint alleging an infringement of this Regulation affecting them against providers of relevant information society services with the Coordinating Authority designated by the Member State where the user	1.Users ***and any body, organisation or association mandated to exercise the rights conferred by this Regulation on their behalf*** shall have the right to lodge a complaint alleging an infringement of this Regulation affecting them against	1.Users ***and any body, organisation or association mandated to exercise the rights conferred by this Regulation on their behalf*** shall have the right to lodge a complaint ~~*alleging an infringement of this Regulation affecting them*~~ against	1.Users shall have the right to lodge a complaint alleging an infringement of this Regulation affecting them against providers of relevant information society services with the Coordinating Authority designated by the Member State where the user

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	resides or is established.	providers of relevant information society services with the Coordinating Authority designated by the Member State ~~*where the user resides or is established*~~***of his or her habitual residence, place of work or place of the alleged infringement***.	providers of relevant information society services ***alleging an infringement of this Regulation*** with the Coordinating Authority ~~*designated by*~~ ***in*** the Member State where the user ~~*resides or is*~~***is located or*** established.	~~*resides or is*~~***is located or*** established. ***The Coordinating Authorities shall process the complaints without undue delay.*** Text Origin: CY Acting Pcy2
Article 34(1a)				
542a		***1a. The Coordinating Authority with which the complaint has been lodged shall inform the complainant and the provider on the progress and the outcome of the complaint in accordance with national law.***		*deleted*
Article 34(1b)				
542b		***1b. Directive (EU) 2019/1937 of the European Parliament and of the Council shall apply to the reporting of breaches of this Regulation and the protection of persons reporting such breaches.***		*deleted* *Movedto Art. 1(3).*
Article 34(1c)				
542c		***1c. The Coordinating Authority shall offer easy to use mechanism to anonymously submit information about infringements of this Regulation.***		*deleted*
Article 34(2)				
543	*2.*Coordinating Authorities shall provide child-friendly mechanisms to submit a complaint under this	2.Coordinating Authorities shall provide ~~*child-friendly*~~***age-appropriate and accessible***	2.Coordinating Authorities shall provide child-friendly mechanisms to submit a complaint under this	2.Coordinating Authorities shall provide child-friendly mechanisms to submit a complaint under this

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	Article and adopt a child-sensitive approach when handling complaints submitted by children, taking due account of the child's age, maturity, views, needs and concerns.	mechanisms to submit a complaint under this Article and adopt ~~*a child-sensitive*~~***an age-appropriate and gender-sensitive*** approach when handling complaints ~~*submitted by children,*~~ taking due account of the ~~*child'*~~***complainant's*** age, maturity, views, needs and concerns. ***Coordinating Authorities shall diligently process the complaints.***	Article and adopt a child-sensitive approach when handling complaints submitted by children, taking due account of the child's age, maturity, views, needs and concerns.	Article and adopt a child-sensitive approach when handling complaints submitted by children, taking due account of the child's age, maturity, views, needs and concerns. Text Origin: Commission Proposal
Article 34(3), first subparagraph				
G 544	3.The Coordinating Authority receiving the complaint shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of establishment.	3.The Coordinating Authority receiving the complaint shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of establishment ***of the provider***. ***In this case paragraph 1a shall apply to the Coordinating Authority of establishment mutandis mutandis.***	3.The Coordinating Authority ~~*receiving the complaint*~~ shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of establishment***, accompanied, where appropriate, by its reasoning***.	3.The Coordinating Authority receiving the complaint shall assess the complaint and, where appropriate, transmit it to the Coordinating Authority of establishment***, accompanied, where considered appropriate, by an opinion***. ***The Coordinating Authority of establishment shall inform the provider and the Coordinating Authority receiving the complaint of the progress and outcome of the complaint in accordance with national law and without undue delay. After obtaining such information, the Coordinating Authority receiving the complaint shall inform the complainant of the progress and outcome of the complaint in accordance with national law and without undue delay.*** Text Origin: Council Mandate

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Article 34 a				
544a		***Judicial remedy and compensation Users and any body, organisation or association mandated to exercise the rights conferred by this Regulation on their behalf shall have the right to seek, in accordance with Union and national law, judicial remedy, including the right to compensation for any damage or loss suffered due to an infringement of the obligations under this Regulation.***		*deleted*
Article 34(3), second subparagraph				
545	Where the complaint falls under the responsibility of another competent authority of the Member State that designated the Coordinating Authority receiving the complaint, that Coordinating Authority shall transmit it to that other competent authority.	Where the complaint falls under the responsibility of another competent authority of the Member State that designated the Coordinating Authority receiving the complaint, that Coordinating Authority shall transmit it to that other competent authority.	Where the complaint falls under the responsibility of another competent authority ~~*of the*~~***in its*** Member State ~~*that designated*~~**,** the Coordinating Authority receiving the ~~*complaint, that Coordinating Authority shall*~~***complaintshall*** transmit it to that ~~*other competent*~~ authority.	Where the complaint falls under the responsibility of another competent authority ~~*of the*~~***in its*** Member State ~~*that designated*~~**,** the Coordinating Authority receiving the complaint~~*, that Coordinating Authority*~~ shall transmit it to that ~~*other competent*~~ authority. Text Origin: Council Mandate
Article 34(3a)				
545a			***3a. During these proceedings, both parties shall have the right to be heard and receive appropriate information about the status of the complaint, in accordance with national law.***	*deleted*
Article 34a				
545b			***Article 34a***	***Article 34a***

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			Representation	***Representation*** Text Origin: Council Mandate	
Article 34a(1)					
G 545c			***1.Without prejudice to Directive (EU) 2020/1828 or to any other type of representation under national law, users of relevant information society services shall at least have the right to mandate a body, organisation or association to exercise the rights conferred by this Regulation on their behalf, provided the body, organisation or association meets all of the following conditions:***	***1.Without prejudice to Directive (EU) 2020/1828 or to any other type of representation under national law, users of relevant information society services shall at least have the right to mandate a parent, guardian, legal representative or other body, organisation or association to exercise the rights conferred by this Regulation on their behalf, provided the body, organisation or association meets all of the following conditions:*** Text Origin: Council Mandate	G
Article 34a(1), point (a)					
G 545d			***(a) it operates on a non-profit basis;***	***(a) it operates on a non-profit basis;*** Text Origin: Council Mandate	G
Article 34a(1), point (b)					
G 545e			***(b) it has been properly constituted in accordance with the law of a Member State;***	***(b) it has been properly constituted in accordance with the law of a Member State;*** Text Origin: Council Mandate	G
Article 34a(1), point (c)					
G 545f			***(c) its statutory objectives include a legitimate interest in ensuring that***	***(c) its statutory objectives include a legitimate interest in ensuring that***	G

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			this Regulation is complied with.	***this Regulation is complied with.*** Text Origin: Council Mandate	
Article 34a(2)					
G 545g			***2.Providers of relevant information society services shall take the necessary technical and organisational measures to ensure that complaints submitted by bodies, organisations or associations referred to in paragraph 1 of this Article on behalf of users through the mechanisms referred to in Article 34 are processed and decided upon with priority and without undue delay.***	***2.Providers of relevant information society services shall take the necessary technical and organisational measures to ensure that complaints submitted by bodies, organisations or associations referred to in paragraph 1 of this Article on behalf of users through the mechanisms referred to in Article 34 are processed and decided upon with priority and without undue delay.*** Text Origin: Council Mandate	G
Article 34b					
G 545h				***Article 34b*** ***Compensation*** Text Origin: CY Acting Pcy2	G
Article 34b, first paragraph					
G 545i				***Users shall have the right to seek, in accordance with Union and national law, compensation from providers of relevant information society services, in respect of any damage or loss suffered due to an infringement by those providers of their obligations under this Regulation.***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: CY Acting Pcy2
Article 35				
G 546	Article 35 Penalties	Article 35 Penalties	Article 35 Penalties	Article 35 Penalties Text Origin: Commission Proposal
Article 35(1), first subparagraph				
G 547	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all the necessary measures to ensure that they are implemented.	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all the necessary measures to ensure that they are implemented.	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all the necessary measures to ensure that they are implemented ***in accordance with Article 27***.	1.Member States shall lay down the rules on penalties applicable to infringements of the obligations pursuant to Chapters II and V of this Regulation by providers of relevant information society services under their jurisdiction and shall take all the necessary measures to ensure that they are implemented ***in accordance with Article 27***. Text Origin: Council Mandate
Article 35(1), second subparagraph				
548	The penalties shall be effective, proportionate and dissuasive. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them.	The penalties shall be effective, proportionate and dissuasive. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them.	~~*The*~~ Penalties shall be effective, proportionate and dissuasive***, taking into account the risk categorisation of services laid down in Article 5(2)***. Member States shall, by [Date of application of this Regulation], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendments affecting them.	ITM 30.01. - ON HOLD pending discussion of Article 5
Article 35(2)				

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549	2.Member States shall ensure that the maximum amount of penalties imposed for an infringement of this Regulation shall not exceed 6 % of the annual income or global turnover of the preceding business year of the provider.	2.Member States shall ensure that the maximum amount of penalties imposed for an infringement of this Regulation shall not exceed 6 % of the annual ~~*income or global*~~***worldwide*** turnover of the preceding business year of the provider.	2.Member States shall ensure that the maximum amount of penalties ***that may be*** imposed for ***a failure to comply with an obligation laid down in*** ~~*an infringement of*~~ this Regulation shall- not exceed 6 % of the annual ~~*income or global*~~ ***worldwide*** turnover of the ***providers concerned in the*** preceding ~~*business year*~~***financial year. Member States shall ensure that the maximum amount*** of the ~~*provider.*~~***penalty that may be imposed***	2.Member States shall ensure that the maximum amount of penalties ***that may be*** imposed for ***a failure to comply with an obligation laid down in*** ~~*an infringement of*~~ this Regulation shall- not exceed 6 % of the annual ~~*income or global*~~ ***worldwide*** turnover of the ***providers concerned in the*** preceding ~~*business year*~~***financial year. Member States shall ensure that the maximum amount*** of the ~~*provider.*~~***penalty that may be imposed*** Text Origin: Council Mandate
Article 35(3)				
550	3.Penalties for the supply of incorrect, incomplete or misleading information, failure to reply or rectify incorrect, incomplete or misleading information or to submit to an on-site inspection shall not exceed 1% of the annual income or global turnover of the preceding business year of the provider or the other person referred to in Article 27.	3.Penalties for the supply of incorrect, incomplete or misleading information, failure to reply or rectify incorrect, incomplete or misleading information or to submit to an on-site inspection shall not exceed 1% of the annual ~~*income or global*~~***worldwide*** turnover of the preceding business year of the provider or the other person referred to in Article 27.	~~*3.Penalties*~~ for the supply of incorrect, incomplete or misleading information, failure to reply or rectify incorrect, incomplete or misleading information ***and failure*** ~~*or*~~ to submit to an ~~*on-site*~~ inspection shall- not exceed 1% of the annual income or ~~*global*~~***worldwide*** turnover of the ~~*preceding business year of the*~~ provider or ~~*the other*~~ person ~~*referred to in Article 27*~~***concerned in the preceeding financial year***.	~~*3.Penalties*~~ for the supply of incorrect, incomplete or misleading information, failure to reply or rectify incorrect, incomplete or misleading information ***and failure*** ~~*or*~~ to submit to an ~~*on-site*~~ inspection shall- not exceed 1% of the annual income or ~~*global*~~***worldwide*** turnover of the ~~*preceding business year of the*~~ provider or ~~*the other*~~ person ~~*referred to in Article 27*~~***concerned in the preceeding financial year***. Text Origin: Council Mandate
Article 35(4)				
551	4.Member States shall ensure that the maximum amount of a periodic	4.Member States shall ensure that the maximum amount of a periodic	~~*4*~~***3***. Member States shall ensure that the maximum amount of a periodic	~~*4*~~***3***. Member States shall ensure that the maximum amount of a periodic

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	penalty payment shall not exceed 5 % of the average daily global turnover of the provider or the other person referred to in Article 27 in the preceding financial year per day, calculated from the date specified in the decision concerned.	penalty payment shall not exceed 5 % of the average daily ~~global~~***worldwide*** turnover of the provider or the other person referred to in ***point (a) of*** Article ~~27~~***27(1), point (a)*** in the preceding financial year per day, calculated from the date specified in the decision concerned.	penalty payment shall~~-~~ not exceed 5 % of the average daily ~~global~~***worldwide*** turnover ***or income*** of the provider ~~or the other person referred to in Article 27~~ in the preceding financial year per day, calculated from the date specified in the decision concerned.	penalty payment shall~~-~~ not exceed 5 % of the average daily ~~global~~***worldwide*** turnover ***or income*** of the provider ~~or the other person referred to in Article 27~~ in the preceding financial year per day, calculated from the date specified in the decision concerned. Text Origin: Council Mandate
Article 35(5)				
552	5.Member States shall ensure that, when deciding whether to impose a penalty and when determining the type and level of penalty, account is taken of all relevant circumstances, including:	5.Member States shall ensure that, when deciding whether to impose a penalty and when determining the type and level of penalty, account is taken of all relevant circumstances, including:	~~5~~***4***. Member States shall ensure that ***the competent authorities***, when deciding whether to impose a penalty and when determining the type and level of penalty, account is taken of all relevant circumstances, including:	~~5~~***4***. Member States shall ensure that ***the competent authorities***, when deciding whether to impose a penalty and when determining the type and level of penalty, account is taken of all relevant circumstances, including: Text Origin: Council Mandate
Article 35(5), point (a)				
553	(a) the nature, gravity and duration of the infringement;	(a) the nature, gravity and duration of the infringement;	(a) the nature, gravity and duration of the infringement;	(a) the nature, gravity and duration of the infringement; Text Origin: Commission Proposal
Article 35(5), point (b)				
554	(b) whether the infringement was intentional or negligent;	(b) whether the infringement was intentional or negligent;	(b) whether the infringement was intentional or negligent;	(b) whether the infringement was intentional or negligent; Text Origin: Commission Proposal
Article 35(5), point (c)				
555	(c) any previous infringements by	(c) any previous infringements by	(c) ~~any~~ previous infringements by	(c) ~~any~~ previous infringements by

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	the provider or the other person;	the provider or the other person;	the provider or the other person;	the provider or the other person; Text Origin: Council Mandate
Article 35(5), point (d)				
556	(d) the financial strength of the provider or the other person;	(d) the financial strength of the provider or the other person;	(d) the financial strength of the provider or the other person;	(d) the financial strength of the provider or the other person; Text Origin: Commission Proposal
Article 35(5), point (e)				
557	(e) the level of cooperation of the provider or the other person;	(e) the level of cooperation of the provider or the other person;	(e) the level of cooperation of the provider or the other person ***with the competent authorities***;	(e) the level of cooperation of the provider or the other person ***with the competent authorities***; Text Origin: Council Mandate
Article 35(5), point (f)				
558	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise;	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise;	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise;	(f) the nature and size of the provider or the other person, in particular whether it is a micro, small or medium-sized enterprise; Text Origin: Commission Proposal
Article 35(5), point (g)				
559	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by it to comply with this Regulation.	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by it to comply with this Regulation.	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by ~~it~~***the provider*** to comply with this Regulation.	(g) the degree of fault of the provider or other person, taking into account the technical and organisational measures taken by ~~it~~***the provider*** to comply with this Regulation. Text Origin: Council Mandate
Section 4				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
560	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation Text Origin: Commission Proposal
Article 36				
561	Article 36 Identification and submission of online child sexual abuse	Article 36 Identification and submission of online child sexual abuse	Article 36 Identification and submission of online child sexual abuse	Article 36 Identification and submission of online child sexual abuse Text Origin: Commission Proposal
Article 36(1), first subparagraph				
562	1.Coordinating Authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with Article 39(2):	1.Coordinating Authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with Article 39(2):	1.~~*Coordinating*~~ ***Competent*** authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with Article 39(2):	1.Coordinating Authorities shall submit to the EU Centre, without undue delay and through the system established in accordance with Article 39(2): Trilogue 26.02: EP and CNS to check Articles 26 and 36 as a package. Text Origin: Council Mandate
Article 36(1), first subparagraph, point (a)				
563	(a) specific items of material and transcripts of conversations that Coordinating Authorities or that the competent judicial authorities or other independent administrative authorities of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material or the solicitation of children, as applicable, for the EU Centre to	(a) specific items of material and transcripts of conversations that Coordinating Authorities or that the competent judicial authorities or other independent administrative authorities of a Member State ***subject to judicial validation*** have identified, after a diligent assessment, as constituting child sexual abuse material or the solicitation of children, as	(a) specific items ~~*of material and transcripts of conversations that Coordinating*~~ ***that competent*** authorities ~~*or that the competent judicial authorities or other independent administrative authorities*~~ of a Member State have identified, after a diligent assessment***, subject to adequate oversight by judicial authorities***, as constituting child sexual abuse	(a) specific items ~~*of material and transcripts of conversations that Coordinating Authorities or that the*~~***that*** competent ~~*judicial authorities or other independent administrative*~~ authorities of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material or the solicitation of children, as applicable, for the EU Centre to

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	generate indicators in accordance with Article 44(3);	applicable, for the EU Centre to generate indicators in accordance with Article 44(3);	material or the solicitation of children, as applicable, for the EU Centre to generate indicators in accordance with Article 44(3);	generate indicators in accordance with Article 44(3); Text Origin: Council Mandate
Article 36(1), first subparagraph, point (b)				
564	(b) exact uniform resource locators indicating specific items of material that Coordinating Authorities or that competent judicial authorities or other independent administrative authorities of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material, hosted by providers of hosting services not offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction, for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3).	(b) exact uniform resource locators indicating specific items of material that Coordinating Authorities or that competent judicial authorities or other independent administrative authorities of a Member State ***subject to judicial validation*** have identified, after a diligent assessment, as constituting child sexual abuse material, hosted by providers of hosting services not offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction, for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3).	(b) exact uniform resource locators indicating ~~*specific items of material that Coordinating Authorities or*~~ ***the electronic location of the information*** that competent ~~*judicial*~~ authorities~~ *or other independent administrative authorities*~~ of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material,~~ *hosted by providers of hosting services not offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction,*~~ for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3)~~.~~ ***;***	(b) exact uniform resource locators indicating ~~*specific items of material that Coordinating Authorities or*~~***the electronic location of the information*** that competent~~ *judicial authorities or other independent administrative*~~ authorities of a Member State have identified, after a diligent assessment, as constituting child sexual abuse material, ~~*hosted by providers of hosting services not offering services in the Union, that cannot be removed due to those providers' refusal to remove or disable access thereto and to the lack of cooperation by the competent authorities of the third country having jurisdiction,*~~ for the EU Centre to compile the list of uniform resource locators in accordance with Article 44(3). Text Origin: Council Mandate
Article 36(1), second subparagraph				
565	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive, without undue delay, the material identified	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive ***in a secure manner***, without undue delay, the	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive, without undue delay, the material identified	Member States shall take the necessary measures to ensure that the Coordinating Authorities that they designated receive ***in a secure manner through the system or***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	as child sexual abuse material, the transcripts of conversations identified as the solicitation of children, and the uniform resource locators, identified by a competent judicial authority or other independent administrative authority than the Coordinating Authority, for submission to the EU Centre in accordance with the first subparagraph.	material identified as child sexual abuse material, the transcripts of conversations identified as the solicitation of children, and the uniform resource locators, identified by a competent judicial authority or other independent administrative authority than the Coordinating Authority, for submission to the EU Centre in accordance with the first subparagraph.	as child sexual abuse material, the ~~*transcripts*~~***extracts*** of conversations identified as the solicitation of children~~.~~ and the uniform resource locators, identified by a competent ~~*judicial*~~ authority ~~*or other independent administrative authority than the Coordinating Authority*~~, for submission to the EU Centre in accordance with the first subparagraph.	***systems established in acccordance with Article 39(2)***, without undue delay, the material identified as child sexual abuse material, the ~~*transcripts*~~***extracts*** of conversations identified as the solicitation of children, and the uniform resource locators, identified by a competent ~~*judicial authority or other independent administrative authority than the Coordinating*~~ authority, for submission to the EU Centre in accordance with the first subparagraph. Text Origin: CY Acting Pcy2
Article 36(1a)				
565a			***1a. By deviation from paragraph 1, last subparagraph, Member States may decide that the submission to the EU Centre, in accordance with the requirements specified in points (a) and (b) of paragraph 1, can be carried out by the competent authorities without undue delay and through the system established in accordance with Article 39(2). Where a Member State is making use of this possibility, the competent authority shall inform the Coordinating Authority of all the correspondence with the EU Centre.***	***1a. [By deviation from paragraph 1, last subparagraph, Member States may decide that the submission to the EU Centre, in accordance with the requirements specified in points (a) and (b) of paragraph 1, can be carried out by the competent authorities without undue delay and through the system established in accordance with Article 39(2). Where a Member State is making use of this possibility, the competent authority shall inform the Coordinating Authority of all the correspondence with the EU Centre.]*** Trilogue 26.02: EP and CNS to check

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Articles 26 and 36 as a package (linked to line 639). Text Origin: Council Mandate
Article 36(2)				
566	2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, Coordinating Authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to the EU Centre in accordance with that paragraph.	2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, Coordinating Authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to the EU Centre in accordance with that paragraph.	2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, ~~*Coordinating*~~ ***competent*** authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to the EU Centre in accordance with that paragraph.	2.Upon the request of the EU Centre where necessary to ensure that the data contained in the databases referred to in Article 44(1) are complete, accurate and up-to-date, ~~*Coordinating*~~ ***competent*** authorities shall verify or provide clarifications or additional information as to whether the conditions of paragraph 1, points (a) and (b) have been and, where relevant, continue to be met, in respect of a given submission to the EU Centre in accordance with that paragraph. Text Origin: Council Mandate
Article 36(3)				
567	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of	3.Member States shall ensure that, where their law enforcement authorities receive a report of the dissemination of new child sexual abuse material or of the solicitation of children forwarded to them by the EU Centre in accordance with Article 48(3), a diligent assessment is conducted in accordance with paragraph 1 and, if the material or conversation is identified as constituting child sexual abuse material or as the solicitation of

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	children, the Coordinating Authority submits the material to the EU Centre, in accordance with that paragraph, within one month from the date of reception of the report or, where the assessment is particularly complex, two months from that date.	children, the Coordinating Authority submits the material to the EU Centre, in accordance with that paragraph, within one month from the date of reception of the report or, where the assessment is particularly complex, two months from that date.	children, the ~~Coordinating~~ ***competent*** authority submits the material to the EU Centre, in accordance with that paragraph, within ~~one month~~ ***two months*** from the date of reception of the report or, where the assessment is particularly complex, ~~two~~ ***six*** months from that date.	children, the Coordinating authority submits the material to the EU Centre, in accordance with that paragraph, within ~~one month~~***[two] months*** from the date of reception of the report or, where the assessment is particularly complex, ~~two~~***[six]*** months from that date. Trilogue 16.04: EP insists on deadline of one month and could accept three months in particularly complex cases. Text Origin: Council Mandate
Article 36(4)				
G 568	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph.	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph. ***Member States shall establish effective procedures that such material, including any associated data, which does not constitute child sexual abuse material or solicitation of children, is deleted from the records and databases at the Coordinating Authority and the Member States law enforcement authorities.***	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph.	4.They shall also ensure that, where the diligent assessment indicates that the material does not constitute child sexual abuse material or the solicitation of children, the Coordinating Authority is informed of that outcome and subsequently informs the EU Centre thereof, within the time periods specified in the first subparagraph. G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 37				
569	Article 37 Cross-border cooperation among Coordinating Authorities	Article 37 Cross-border cooperation among Coordinating Authorities	Article 37 Cross-border cooperation among Coordinating Authorities	Article 37 Cross-border cooperation among Coordinating Authorities Text Origin: Commission Proposal
Article 37(1), first subparagraph				
570	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation, it shall request the Coordinating Authority of establishment to assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation, it shall request the Coordinating Authority of establishment to assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation ***in a manner negatively affecting the users of the service in the Member State of that Coordinating Authority, it may*** ~~, it shall~~ request the Coordinating Authority of establishment to assess the matter and ***to*** take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	1.Where a Coordinating Authority that is not the Coordinating Authority of establishment has reasons to suspect that a provider of relevant information society services infringed this Regulation ***in a manner negatively affecting the users of the service in the Member State of that Coordinating Authority, it may*** ~~, it shall~~ request the Coordinating Authority of establishment to assess the matter and ***to*** take the necessary investigatory and enforcement measures to ensure compliance with this Regulation. Text Origin: Council Mandate
Article 37(1), second subparagraph				
571	Where the Commission has reasons to suspect that a provider of relevant information society services infringed this Regulation in a manner involving at least three Member States, it may recommend that the Coordinating Authority of establishment assess the matter and	Where the Commission has reasons to suspect that a provider of relevant information society services infringed this Regulation in a manner involving at least three Member States, it may recommend that the Coordinating Authority of establishment assess the matter and	~~*Where the Commission has reasons to suspect that a provider of relevant information society services infringed this Regulation in a manner involving at least three Member States, it may recommend that the Coordinating Authority of establishment assess the matter and*~~	*deleted*

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	take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	~~take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.~~	
Article 37(2)				
572	*2.*The request or recommendation referred to in paragraph 1 shall at least indicate:	2.The request or recommendation referred to in paragraph 1 shall at least indicate:	2.~~The~~ ***A*** request ~~or recommendation referred to in~~ ***pursuant to*** paragraph 1 shall ***be duly reasoned and*** at least indicate:	2.~~The~~ ***A*** request ~~or recommendation referred to in~~ ***pursuant to*** paragraph 1 shall ***be duly reasoned and*** at least indicate: Text Origin: Council Mandate
Article 37(2), point (a)				
573	(a) the point of contact of the provider as set out in Article 23;	(a) the point of contact of the provider as set out in Article 23;	(a) the point of contact of the provider as set out in Article 23;	(a) the point of contact of the provider as set out in Article 23; Text Origin: Commission Proposal
Article 37(2), point (b)				
574	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request, or the Commission suspects, that the provider infringed this Regulation;	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request, or the Commission suspects, that the provider infringed this Regulation;	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request~~, or the Commission~~ suspects, that the provider infringed this Regulation ***including the description of the negative effects of the alleged infringement***;	(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Coordinating Authority that sent the request~~, or the Commission~~ suspects, that the provider infringed this Regulation ***including the description of the negative effects of the alleged infringement***; Text Origin: Council Mandate
Article 37(2), point (c)				
575	(c) any other information that the Coordinating Authority that sent the request, or the Commission,	(c) any other information that the Coordinating Authority that sent the request, or the Commission,	(c) any other information that the Coordinating Authority that sent the request~~, or the Commission,~~	(c) any other information that the Coordinating Authority that sent the request~~, or the Commission,~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	considers relevant, including, where appropriate, information gathered on its own initiative and suggestions for specific investigatory or enforcement measures to be taken.	considers relevant, including, where appropriate, information gathered on its own initiative and suggestions for specific investigatory or enforcement measures to be taken.	considers relevant, including, where appropriate, information gathered on its own initiative ~~and~~ ***or*** suggestions for specific investigatory or enforcement measures to be taken, ***including interim measures***.	considers relevant, including, where appropriate, information gathered on its own initiative ~~and~~ ***or*** suggestions for specific investigatory or enforcement measures to be taken, ***including interim measures***. Text Origin: Council Mandate
Article 37(3), first subparagraph				
G 576	3.The Coordinating Authority of establishment shall assess the suspected infringement, taking into utmost account the request or recommendation referred to in paragraph 1.	3.The Coordinating Authority of establishment shall assess the suspected infringement, taking into utmost account the request or recommendation referred to in paragraph 1.	3.The Coordinating Authority of establishment shall ~~assess the suspected infringement, taking into~~***take*** utmost account ***of the requests pursuant to*** ~~the request or recommendation referred to in~~ paragraph 1 ***of this Article***.	3.The Coordinating Authority of establishment shall ~~assess the suspected infringement, taking into~~***take*** utmost account ***of the requests pursuant to*** ~~the request or recommendation referred to in~~ paragraph 1 ***of this Article***. Text Origin: Council Mandate
Article 37(3), second subparagraph				
G 577	Where it considers that it has insufficient information to asses the suspected infringement or to act upon the request or recommendation and has reasons to consider that the Coordinating Authority that sent the request, or the Commission, could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided.	Where it considers that it has insufficient information to asses the suspected infringement or to act upon the request or recommendation and has reasons to consider that the Coordinating Authority that sent the request, or the Commission, could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided.	Where it considers that it has insufficient information to ~~asses the suspected infringement or to~~ act upon the request ~~or recommendation~~ and has reasons to consider that the Coordinating Authority that sent the request ~~, or the Commission,~~ could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided.	Where it considers that it has insufficient information to ~~asses the suspected infringement or to~~ act upon the request ~~or recommendation~~ and has reasons to consider that the Coordinating Authority that sent the request ~~, or the Commission,~~ could provide additional information, it may request such information. The time period laid down in paragraph 4 shall be suspended until that additional information is provided. Text Origin: Council Mandate
Article 37(4)				

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578	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request or recommendation referred to in paragraph 1, communicate to the Coordinating Authority that sent the request, or the Commission, the outcome of its assessment of the suspected infringement, or that of any other competent authority pursuant to national law where relevant, and, where applicable, an explanation of the investigatory or enforcement measures taken or envisaged in relation thereto to ensure compliance with this Regulation.	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request or recommendation referred to in paragraph 1, communicate to the Coordinating Authority that sent the request, or the Commission, the outcome of its assessment of the suspected infringement, or that of any other competent authority pursuant to national law where relevant, and, where applicable, ~~an explanation~~***details*** of the investigatory or enforcement measures taken or envisaged in relation thereto to ensure compliance with this Regulation.	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request ~~or recommendation referred to in~~ ***pursuant to*** paragraph 1, communicate to the Coordinating Authority that sent the request~~, or the Commission, the outcome of its~~ ***the*** assessment of the suspected infringement, ~~or that of any other competent authority pursuant to national law where relevant, and, where applicable,~~***and*** an explanation of the investigatory or enforcement measures taken or envisaged***, if any,*** in relation thereto to ensure compliance with this Regulation.	4.The Coordinating Authority of establishment shall, without undue delay and in any event not later than two months following receipt of the request ~~or recommendation referred to in~~ ***pursuant to*** paragraph 1, communicate to the Coordinating Authority that sent the request~~, or the Commission, the outcome of its~~ ***the*** assessment of the suspected infringement, ~~or that of any other competent authority pursuant to national law where relevant, and, where applicable,~~***and*** an explanation of the investigatory or enforcement measures taken or envisaged***, if any,*** in relation thereto to ensure compliance with this Regulation. Text Origin: Council Mandate
Article 38				
579	Article 38 Joint investigations	Article 38 Joint investigations	Article 38 Joint investigations	Article 38 Joint investigations Text Origin: Commission Proposal
Article 38(1), first subparagraph				
580	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several	1.Coordinating Authorities may participate in joint investigations, which may be coordinated with the support of the EU Centre, of matters covered by this Regulation, concerning providers of relevant information society services that offer their services in several

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Member States.	Member States. ***Those investigations shall also take place on the darkweb.***	Member States.	Member States. EP provides text for recital. Text Origin: Council Mandate
Article 38(1), second subparagraph				
G 581	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation.	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation.	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation.	Such joint investigations are without prejudice to the tasks and powers of the participating Coordinating Authorities and the requirements applicable to the performance of those tasks and exercise of those powers provided for in this Regulation. Text Origin: Commission Proposal
Article 38(2)				
G 582	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation.	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation.	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation.	2.The participating Coordinating Authorities shall make the results of the joint investigations available to other Coordinating Authorities, the Commission and the EU Centre, through the system established in accordance with Article 39(2), for the fulfilment of their respective tasks under this Regulation. Text Origin: Commission Proposal
Article 38a				
G 582a			***Article 38a*** ***Mutual assistance***	***Article 38a*** ***Mutual assistance*** Text Origin: Council Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
Article 38a(1)					
G 582b			***1.The Coordinating Authorities and the other competent authorities of the Member States shall cooperate closely and provide each other with mutual assistance in order to apply this Regulation in a consistent and efficient manner. Mutual assistance shall include, in particular, exchange of information in accordance with this Article and the duty of the Coordinating Authority to inform all the other Coordinating Authorities about the opening of an investigation and the intention to take a final decision, including its assessment, in respect of a specific provider of a relevant information society service.***	***1.The Coordinating Authorities and the other competent authorities of the Member States shall cooperate closely and provide each other with mutual assistance in order to apply this Regulation in a consistent and efficient manner. Mutual assistance shall include, in particular, exchange of information in accordance with this Article and the duty of the Coordinating Authority to inform all the other Coordinating Authorities about the opening of an investigation and the intention to take a final decision, including its assessment, in respect of a specific provider of a relevant information society service.*** Text Origin: Council Mandate	G
Article 38a(2)					
G 582c			***2.For the purpose of an investigation, a Coordinating Authority may request a Coordinating Authority in another Member State to provide specific information in its possession as regards a specific provider of relevant information society services or to exercise their investigative powers referred to in Article 27(1) with regard to specific information located in its Member State. Where appropriate, the***	***2.For the purpose of an investigation, a Coordinating Authority may request a Coordinating Authority in another Member State to provide specific information in its possession as regards a specific provider of relevant information society services or to exercise their investigative powers referred to in Article 27(1) with regard to specific information located in its Member State. Where appropriate, the***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			Coordinating Authority receiving the request may involve other competent authorities or other public authorities of the Member State in question.	***Coordinating Authority receiving the request may involve other competent authorities or other public authorities of the Member State in question.*** Text Origin: Council Mandate	
Article 38a(3), first subparagraph					
G	582d		***3.The Coordinating Authority receiving the request pursuant to paragraph 2 shall comply with such request and inform the requesting Coordinating Authority about the action taken, without undue delay, unless:***	***3.The Coordinating Authority receiving the request pursuant to paragraph 2 shall comply with such request and inform the requesting Coordinating Authority about the action taken, without undue delay, unless:*** Text Origin: Council Mandate	G
Article 38a(3), first subparagraph, point (a)					
G	582e		***(a) the scope or the subject matter of the request is not sufficiently specified, justified or proportionate in view of the investigative purposes; or***	***(a) the scope or the subject matter of the request is not sufficiently specified, justified or proportionate in view of the investigative purposes; or*** Text Origin: Council Mandate	G
Article 38a(3), first subparagraph, point (b)					
G	582f		***(b) neither the requested Coordinating Authority nor other competent authority or other public authority of that Member State is in possession of the requested information nor can have access to it; or***	***(b) neither the requested Coordinating Authority nor other competent authority or other public authority of that Member State is in possession of the requested information nor can have access to it; or***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 38a(3), first subparagraph, point (c)				
582g			***(c) the request cannot be complied with without infringing Union or national law.***	***(c) the request cannot be complied with without infringing Union or national law.*** Text Origin: Council Mandate
Article 38a(3), second subparagraph				
582h			***The Coordinating Authority receiving the request shall justify its refusal by submitting a reasoned reply, within the period set out in the first subparagraph.***	***The Coordinating Authority receiving the request shall justify its refusal by submitting a reasoned reply, within the period set out in the first subparagraph.*** Text Origin: Council Mandate
Article 39				
583	Article 39 General cooperation and information-sharing system	Article 39 General cooperation and information-sharing system	Article 39 ~~*General*~~ Cooperation***, coordination*** and information-sharing system	Article 39 ~~*General*~~ Cooperation***, coordination*** and information-sharing system Text Origin: Council Mandate
Article 39(1)				
584	1.Coordinating Authorities shall cooperate with each other, any other competent authorities of the Member State that designated the Coordinating Authority, the Commission, the EU Centre and other relevant Union agencies, including Europol, to facilitate the performance of their respective tasks under this Regulation and ensure its effective, efficient and consistent	1.Coordinating Authorities shall cooperate with each other, any other competent authorities of the Member State that designated the Coordinating Authority, the Commission, the EU Centre, and other relevant Union agencies, including ~~*Europol,*~~ to facilitate the performance of their respective tasks under this Regulation and ensure its effective, efficient and consistent	1.~~*Coordinating*~~***Competent*** authorities~~*-*~~ shall ***sincerely*** cooperate with each other, ~~*any other competent authorities of the Member State that designated the Coordinating Authority*~~, the Commission, the EU Centre and other relevant Union agencies, including Europol, to facilitate the performance of their respective tasks under this Regulation and ***to*** ensure	1.~~*Coordinating*~~***Competent*** authorities shall ***sincerely*** cooperate with each other~~*, any other competent authorities of the Member State that designated the Coordinating Authority*~~, the Commission, the EU Centre and other relevant Union agencies~~*, including Europol,*~~ to facilitate the performance of their respective tasks under this Regulation***, to*** ~~*and*~~ ensure its

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	application and enforcement.	application and enforcement.	its effective, efficient and consistent application and enforcement, ***without prejudice to the possibility for Member States to provide for cooperation mechanisms and regular exchanges of views between the competent authorities where relevant for the performance of their respective tasks in accordance with this Regulation***.	effective, efficient and consistent application and enforcement, ***and to avoid interference with criminal investigations in different Member States and duplication of efforts***. ***Where Member States provide in their national law for cooperation mechanisms and regular exchanges between their competent authorities, those competent authorities shall be subject to the obligation set out in the first paragraph.*** Text Origin: CY Acting Pcy2
Article 39(1a)				
G	584a		***1a. The authorities and agencies referred to in paragraph 1 shall, including with the support from the EU Centre, coordinate their work for the performance of their respective tasks under this Regulation, with a view to ensuring its effective, efficient and consistent application and enforcement and avoiding interference with criminal investigations in different Member States and duplication of efforts.***	*deleted*
Article 39(1b)				
G	*584b*		***1b. To facilitate the implementation of this Regulation, Member States shall put in place national strategies to prevent and combat***	***1b. Member States shall put in place national strategies to prevent and combat child sexual abuse by [2 years after the entry into force of***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			online child sexual abuse and exploitation by [2 years after the entry into force of this Regulation] that shall be updated every 5 years. These national strategies shall also ensure effective coordination and cooperation of the Member States with the EU Centre and the Commission. The national strategies shall be transmitted to the EU Centre to facilitate the sharing of best practices.	***this Regulation].*** ***These national strategies shall facilitate the implementation of this Regulation and shall, in particular:*** ***(a) ensure effective coordination and cooperation with the EU Centre and the Commission;*** ***(b) promote cooperation with organisations and networks with expertise in matters related to child sexual abuse; and*** ***(c) include the development of standards of best practice and guidance, including on victim support, education and awareness-raising.*** ***The strategies shall be updated every five years and transmitted to the EU Centre in order to facilitate the sharing of best practices.***
Article 39(2)				
G 585	2.The EU Centre shall establish and maintain one or more reliable and secure information sharing systems supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	2.The EU Centre shall establish and maintain one or more reliable and secure information sharing systems ***subject to highest state of art technical and organisational safeguards, such as the software provided by eu-LISA pursuant to Regulation (EU) 2023/969,*** supporting communications between Coordinating Authorities, the Commission, the EU Centre, other	2.The EU Centre shall establish and maintain one or more reliable and secure information sharing systems supporting communications between ~~Coordinating~~***competent*** authorities~~,~~ the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services.	2.The EU Centre shall establish and maintain one or more reliable and secure information sharing systems***, subject to the state of art technical and organisational safeguards,*** supporting communications between Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services. G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		relevant Union agencies and providers of relevant information society services.		Text Origin: EP Mandate
Article 39(2a)				
585a			***2a. The information sharing system or systems referred to in paragraph 2 shall facilitate compliance with the obligations set out in Article 83(2) by enabling automated collection and easy retrieval of relevant statistical information.***	ITM 2.02 - ON HOLD - related to discussion on Art. 83(2).
Article 39(3)				
586	3.The Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing systems referred to in paragraph 2 for all relevant communications pursuant to this Regulation.	3.The Coordinating Authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing systems referred to in paragraph 2 for all relevant communications pursuant to this Regulation.	3.The ~~*Coordinating*~~***competent*** authorities , the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing ***system or*** systems referred to in paragraph 2 for all relevant communications pursuant to this Regulation.	3.The ~~*Coordinating*~~***competent*** authorities, the Commission, the EU Centre, other relevant Union agencies and providers of relevant information society services shall use the information-sharing ***system or*** systems referred to in paragraph 2 for all relevant communications pursuant to this Regulation. Text Origin: Council Mandate
Article 39(4)				
587	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted in accordance with	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted in accordance with	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing ***system or*** systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted	4.The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the information-sharing ***system or*** systems referred to in paragraph 2 and their interoperability with other relevant systems. Those implementing acts shall be adopted

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the advisory procedure referred to in Article 87.	the advisory procedure referred to in Article 87.	in accordance with the advisory procedure referred to in Article 87.	in accordance with the advisory procedure referred to in Article 87. Text Origin: Council Mandate
Article 39(4a)				
587a		***4a. The Coordinating Authorities shall share information, best practice standards and guidance on the prevention and combating of child sexual abuse and solicitation of children.***		*deleted*
CHAPTER IV				
588	CHAPTER IV EU CENTRE TO PREVENT AND COMBAT CHILD SEXUAL ABUSE	CHAPTER IV EU CENTRE ~~*TO PREVENT AND COMBAT*~~***FOR*** CHILD ~~*SEXUAL ABUSE*~~ ***PROTECTION***	CHAPTER IV EU CENTRE TO PREVENT AND COMBAT CHILD SEXUAL ABUSE	CHAPTER IV EU CENTRE ~~*TO PREVENT AND COMBAT*~~***FOR THE PROTECTION OF CHILDREN FROM*** CHILD SEXUAL ABUSE ITM 15.01 (Arts. 40 to 57) Text Origin: EP Mandate
Section 1				
589	Section 1 Principles	Section 1 Principles	Section 1 Principles	Section 1 Principles Text Origin: Commission Proposal
Article 40				
590	Article 40 Establishment and scope of action of the EU Centre	Article 40 Establishment and scope of action of the EU Centre	Article 40 Establishment and scope of action of the EU Centre	Article 40 Establishment and scope of action of the EU Centre Text Origin: Commission Proposal
Article 40(1)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
591	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre on Child Sexual Abuse, is established.	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre ~~on~~***for*** child ~~*Sexual Abuse*~~***protection***, is established.	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre on Child Sexual Abuse, is established.	1.A European Union Agency to prevent and combat child sexual abuse, the EU Centre ~~on~~***for the Protection of Children from*** Child Sexual Abuse, is established.
Article 40(2)				
592	2.The EU Centre shall contribute to the achievement of the objective of this Regulation by supporting and facilitating the implementation of its provisions concerning the detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse and gather and share information and expertise and facilitate cooperation between relevant public and private parties in connection to the prevention and combating of child sexual abuse, in particular online.	2.The EU Centre shall contribute to the achievement of the ~~*objective*~~***objectives*** of this Regulation by supporting and facilitating the implementation of its provisions concerning the detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse***. The EU Centre shall*** ~~*and*~~ gather and share ***anonymised*** information***, gender-, and age-disaggregated statistics,*** and expertise***, educational materials and best practices*** and facilitate cooperation between relevant public and private parties in connection to the prevention and combating of child sexual abuse, in particular online. ***It shall promote and ensure the appropriate support and assistance to victims.***	2.The EU Centre shall contribute to the achievement of the objective of this Regulation by supporting and facilitating the implementation of its provisions concerning the ~~*detection*~~***risk mitigation,*** , reporting, removal or disabling of access to, and blocking of online child sexual abuse and ~~*gather and share*~~***by gathering and sharing*** information***,*** ***knowledge*** and expertise***:*** ***supporting activities and facilitating*** ~~*and facilitate*~~ cooperation between relevant public and private parties in connection to the prevention and combating of child sexual abuse, in particular online.	2.The EU Centre shall contribute to the achievement of the ~~*objective*~~***objectives*** of this Regulation by supporting and facilitating the implementation of its provisions ~~*concerning the detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse and gather and share information and expertise and facilitate cooperation between relevant public and private parties in connection to the prevention and combating of child sexual abuse, in particular online*~~.
Article 41				
593	Article 41 Legal status	Article 41 Legal status	Article 41 Legal status	Article 41 Legal status Text Origin: Commission Proposal
Article 41(1)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
594	1.The EU Centre shall be a body of the Union with legal personality.	1.The EU Centre shall be a body of the Union with legal personality.	1.The EU Centre shall be a body of the Union with legal personality.	1.The EU Centre shall be a body of the Union with legal personality. Text Origin: Commission Proposal
Article 41(2)				
595	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.	2.In each of the Member States the EU Centre shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings. Text Origin: Commission Proposal
Article 41(3)				
596	3.The EU Centre shall be represented by its Executive Director.	3.The EU Centre shall be represented by its Executive Director.	3.The EU Centre shall be represented by its Executive Director.	3.The EU Centre shall be represented by its Executive Director. Text Origin: Commission Proposal
Article 42				
597	Article 42 Seat	Article 42 Seat	Article 42 Seat	Outside the scope of negotiations Text Origin: Commission Proposal
Article 42, first paragraph				
598	The seat of the EU Centre shall be The Hague, The Netherlands.	The seat of the EU Centre shall be ~~*The Hague, The Netherlands*~~**..**.	The seat of the EU Centre shall be ~~*The Hague, The Netherlands.*~~ **//.**	Outside the scope of negotiations
Article 42, first paragraph a				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
598a		***The choice of the location of the seat of the EU Centre shall be made in accordance with the ordinary legislative procedure, based on the following criteria:***		Outside the scope of negotiations
Article 42, first paragraph a, point a				
598b		***a) it shall not affect the EU Centre's execution of its tasks and powers, the organisation of its governance structure, the operation of its main organisation, or the main financing of its activities;***		Outside the scope of negotiations
Article 42, first paragraph a, point b				
598c		***b) it shall ensure that the EU Centre is able to recruit the high-qualified and specialised staff it requires to perform the tasks provided by this Regulation;***		Outside the scope of negotiations
Article 42, first paragraph a, point c				
598d		***c) it shall ensure that it can be set up on site upon the entry into force of this Regulation;***		Outside the scope of negotiations
Article 42, first paragraph a, point d				
598e		***d) it shall ensure appropriate accessibility of the location, the existence of adequate education facilities for the children of staff members, appropriate access to the labour market, social security and medical care for both children and spouses;***		Outside the scope of negotiations
Article 42, first paragraph a, point e				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
598f		***e) it shall ensure a balanced geographical distribution of EU institutions, bodies and agencies across the Union;***		Outside the scope of negotiations
Article 42, first paragraph a, point f				
598g		***f) it shall enable close cooperation with EU institutions, bodies and agencies but it shall be independent of any of the aforementioned;***		Outside the scope of negotiations
Article 42, first paragraph a, point g				
598h		***g) it shall ensure sustainability and digital security and connectivity with regards to physical and IT infrastructure and working conditions.***		Outside the scope of negotiations
Section 2				
599	Section 2 Tasks	Section 2 Tasks	Section 2 Tasks	Section 2 Tasks Text Origin: Commission Proposal
Article 43				
600	Article 43 Tasks of the EU Centre	Article 43 Tasks of the EU Centre	Article 43 Tasks of the EU Centre	Article 43 Tasks of the EU Centre ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43 once discussions on the EU Centre have been concluded) (simplification lines 600 to 629c) Text Origin: Commission Proposal
Article 43, first paragraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
601	The EU Centre shall:	The EU Centre shall:	The EU Centre shall:	The EU Centre shall: ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (1)				
602	(1) facilitate the risk assessment process referred to in Section 1 of Chapter II, by:	(1) facilitate the risk assessment process referred to in Section 1 of Chapter II, by:	(1) facilitate the risk assessment ~~process~~***and risk mitigation measures*** referred to in Section 1 of Chapter II, by:	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (1)(a)				
603	(a) supporting the Commission in the preparation of the guidelines referred to in Article 3(8), Article 4(5), Article 6(4) and Article 11, including by collecting and providing relevant information, expertise and best practices, taking into account advice from the Technology Committee referred to in Article 66;	(a) supporting the Commission in the preparation of the guidelines referred to in Article ~~3(8)~~***3(6)***, Article 4(5), Article 6(4) and Article 11, including by collecting and providing relevant ***gender-sensitive and age-appropriate*** information, expertise and best practices, taking into account advice, from the Technology Committee referred to in Article 66 ***and from the Victims' Rights and Survivors Consultative Forum referred to in Article 66a new where applicable***;	(a) supporting the Commission in the preparation of the guidelines referred to in Article ~~3(8)~~***3(6)***, Article 4(5), ***and*** Article 6(4) ~~and Article 11~~, including by collecting and providing relevant information, expertise and best practices, taking into account advice from the Technology Committee referred to in Article 66;	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (1)(b)				
604	(b) upon request from a provider of relevant information services, providing an analysis of anonymised data samples for the purpose referred	(b) upon request from a provider of relevant information services, providing an analysis of ~~anonymised~~***methodology for risk***	(b) upon request from a provider of relevant information services, providing an analysis of anonymised data samples for the purpose referred	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	to in Article 3(3);	***assessment or, where appropriate, performing a test on anonymized*** data samples for the purpose referred to in Article 3(3);	to in Article 3(3) ***and assisting in identifying and assessing technical aspects of specific mitigation measures pursuant to Article 4(3a)***;	
Article 43, first paragraph, point (1)(ba)				
604a			***(ba) upon request from the competent authority, providing an opinion on technical aspects of the possible actions that it intends to impose pursuant to point (b) of the first subparagraph of Article 27(2);***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (1)(bb)				
604b			***(bb) upon request from the Coordinating Authority of establishment, assisting in evaluating the effectiveness of the mitigation measures taken by the provider, evaluating the remaining risk and evaluating the self-assessment by the provider for the risk categorisation pursuant to Article 5(2);***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (1)(bc)				
604c			***(bc) keep a record of the decisions by the Coordinating Authorities of establishment on the risk categorisation of services notified to the EU Centre pursuant to Article 5(2).***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (2)				
605	(2) facilitate the detection process referred to in Section 2 of Chapter II,	(2) facilitate the detection process referred to in Section 2 of Chapter II,	(2) facilitate the ~~*detection process referred to in Section 2 of Chapter*~~	ITM 13.02: ON HOLD

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	by:	by:	~~*II, by:*~~ ***voluntary activities of providers in line with Regulation (EU) 2021/1232 , by***	(CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (2)(a)				
606	(a) providing the opinions on intended detection orders referred to in Article 7(3), first subparagraph, point (d);	(a) providing the opinions on intended detection orders referred to in Article 7(3), first subparagraph, point (d);	~~*(a) providing the opinions on intended detection orders referred to in Article 7(3), first subparagraph, point (d);*~~	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (2)(b)				
607	(b) maintaining and operating the databases of indicators referred to in Article 44;	(b) maintaining and operating the databases of indicators referred to in Article 44;	(b) maintaining and operating the databases of indicators referred to in Article 44;	(b) maintaining and operating the databases of indicators referred to in Article 44; ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (2)(c)				
608	(c) giving providers of hosting services and providers of interpersonal communications services that received a detection order access to the relevant databases of indicators in accordance with Article 46;	(c) giving providers of hosting services and providers of ***number-independent,*** interpersonal communications services that received a detection order access to the relevant databases of indicators in accordance with Article 46;	(c) giving providers ~~*of hosting services and providers of*~~ ***of number-independent*** interpersonal communications services ~~*that received a detection order*~~ access to the relevant databases of indicators in accordance with Article 46;	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (2)(d)				
609	(d) making technologies available to providers for the execution of detection orders issued to them, in accordance with Article 50(1);	(d) making technologies available to providers for the execution of detection orders issued to them, in accordance with Article 50(1);	(d) making technologies available to providers ~~*for the execution of detection orders issued to them*~~, in accordance with Article 50(1);	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 43, first paragraph, point (3)				
610	(3) facilitate the reporting process referred to in Section 3 of Chapter II, by:	(3) facilitate the reporting process referred to in Section 3 of Chapter II, by:	(3) facilitate the reporting process referred to in Section 3 of Chapter II, by:	(3) facilitate the reporting process referred to in Section 3 of Chapter II, by: ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (3)(a)				
611	(a) maintaining and operating the database of reports referred to in Article 45;	(a) maintaining and operating the database of reports referred to in Article 45;	(a) maintaining and operating the database of reports referred to in Article 45;	(a) maintaining and operating the database of reports referred to in Article 45; ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (3)(b)				
612	(b) assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48;	(b) assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48;	(b) assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48;	(b) assessing, processing and, where necessary, forwarding the reports and providing feedback thereon in accordance with Article 48; ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (4)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
613	(4) facilitate the removal process referred to in Section 4 of Chapter II and the other processes referred to in Section 5 and 6 of that Chapter, by:	(4) facilitate the removal process referred to in Section 4 of Chapter II and the other processes referred to in Section 5 and 6 of that Chapter, by:	(4) facilitate the removal process referred to in Section 4 of Chapter II and the other processes referred to in Section 5, ***5a*** and 6 of that Chapter, by:	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(a)				
614	(a) receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1);	(a) receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1);	(a) receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1);	(a) receiving the removal orders transmitted to it pursuant to Article 14(4) in order to fulfil the verification function referred to in Article 49(1); ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (4)(aa)				
614a			***(aa) receiving decisions on a cross-border removal order transmitted to it pursuant to Article 14a(5);***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(ab)				
614b		***(aa) conduct searches on publicly accesible content on hosting services for known child sexual abuse material in accordance with Article 49.1(ba);***		ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) (Linked to proactive searches - Lines 614b, 684a, 684b, 686a)
Article 43, first paragraph, point (4)(ac)				
614c			***(ab) receiving copies of final removal orders and thereto***	ITM 13.02: ON HOLD

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			connected information transmitted to it pursuant to Article 15(2);	(CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(b)				
615	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	~~*(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);*~~	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(c)				
616	(c) receiving and processing the blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing the blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing the blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing the blocking orders transmitted to it pursuant to Article 17(3); ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (4)(ca)				
616a			***(ca) receiving copies of final blocking orders and thereto connected information transmitted to it pursuant to Article 18(2);***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(cb)				
616b			***(cb) receiving the delisting orders transmitted to it pursuant to Article 18b(2);***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(cc)				
616c			***(cc) receiving copies of final delisting orders and thereto***	ITM 13.02: ON HOLD

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			connected information transmitted to it pursuant to Article 18c(3);	(CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(d)				
617	(d) providing information and support to victims in accordance with Articles 20 and 21;	(d) providing information ***assistance*** and support to victims in accordance with Articles 20 and 21;	(d) providing information and support to victims in accordance with Articles 20 and 21;	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (4)(e)				
618	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6); ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (5)				
619	(5) support the Coordinating Authorities and the Commission in the performance of their tasks under this Regulation and facilitate cooperation, coordination and communication in connection to matters covered by this Regulation, by:	(5) support the Coordinating Authorities and the Commission in the performance of their tasks under this Regulation and facilitate cooperation, coordination and communication in connection to matters covered by this Regulation, by:	(5) support ***the competent authorities, including*** the Coordinating Authorities, and the Commission in the performance of their tasks under this Regulation and facilitate cooperation, coordination and communication in connection to matters covered by this Regulation, by:	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (5)(a)				
620	(a) creating and maintaining an	(a) creating and maintaining an	(a) creating and maintaining an	(a) creating and maintaining an

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	online register listing the Coordinating Authorities and their contact points referred to in Article 25(6); ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (5)(b)				
621	(b) providing assistance to the Coordinating Authorities as provided for in Article 25(7);	(b) providing assistance to the Coordinating Authorities as provided for in Article 25(7);	(b) providing assistance to the ~~*Coordinating*~~***competent*** authorities ~~*as provided for in Article 25(7)*~~ ***free of charge and in accordance with its tasks under this Regulation*** ;	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (5)(c)				
622	(c) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(c) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(c) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(c) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37; ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (5)(d)				
623	(d) creating, maintaining and operating the information-sharing system referred to in Article 39;	(d) creating, maintaining and operating the information-sharing system referred to in Article 39;	(d) creating, maintaining and operating the information-sharing system referred to in Article 39;	(d) creating, maintaining and operating the information-sharing system referred to in Article 39;

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (5)(e)				
624	(e) assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation;	(e) assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation;	(e) assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation;	(e) assisting the Commission in the preparation of the delegated and implementing acts and the guidelines that the Commission adopts under this Regulation; ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c) Text Origin: Commission Proposal
Article 43, first paragraph, point (5)(f)				
625	(f) providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks;	(f) providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks;	(f) providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks;	(f) providing information to Coordinating Authorities, upon their request or on its own initiative, relevant for the performance of their tasks under this Regulation, including by informing the Coordinating Authority of establishment of potential infringements identified in the performance of the EU Centre's other tasks; ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 43, first paragraph, point (6)				
626	(6) facilitate the generation and sharing of knowledge with other Union institutions, bodies, offices and agencies, Coordinating Authorities or other relevant authorities of the Member States to contribute to the achievement of the objective of this Regulation, by:	(6) facilitate the generation and sharing of knowledge ***and best practices,*** with other Union institutions, bodies, offices and agencies, Coordinating Authorities or other relevant authorities of the Member States to contribute to the achievement of the objective of this Regulation, by:	(6) facilitate the generation and sharing of knowledge with other Union institutions, bodies, offices and agencies, ***competent authorities including*** Coordinating Authorities, or other relevant authorities of the Member States to contribute to the achievement of the objective of this Regulation, by:	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6)(a)				
627	(a) collecting, recording, analysing and providing information, providing analysis based on anonymised and non-personal data gathering, and providing expertise on matters regarding the prevention and combating of online child sexual abuse, in accordance with Article 51;	(a) collecting, recording, analysing and providing information, providing analysis based on anonymised and non-personal data gathering, ~~*and providing expertise on matters regarding the prevention and combating of online child sexual abuse,*~~***including gender-, sex-and age-disaggregated data*** in accordance with Article 51;	(a) collecting, recording, analysing and providing information, providing analysis based on anonymised and non-personal data gathering, and providing expertise on matters regarding the prevention and combating of online child sexual abuse, in accordance with Article 51;	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6)(aa)				
627a		***(aa) providing assistance, expertise and coordination on matters regarding the prevention and combating of online child sexual abuse in order to support them when taking measures or formulating courses of action within their respective spheres of***		ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		competence;		
Article 43, first paragraph, point (6)(ab)				
627b		***(ab) supporting the development of age-appropriate and gender-sensitive awareness-raising and prevention campaigns, educational and intervention programs, tools and materials, taking with a specific focus on vulnerable groups, in order to enhance digital literacy among users and to equip children and adults, including parents and educators, with adequate skills for detecting potential malicious behavior online and to contribute to ensure safe use of the internet by children.***		ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6)(ac)				
627c		***(ac) facilitating the drafting of recommendations and guidelines for providers on prevention and mitigation of child sexual abuse, in particular in the digital space and taking into account technological developments.***		ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6)(b)				
628	(b) supporting the development and dissemination of research and expertise on those matters and on assistance to victims, including by serving as a hub of expertise to support evidence-based policy;	(b) supporting the development and dissemination of research and expertise on those matters and on assistance ***and support*** to victims***, taking into account the gender and age dimension and operating in a way that minimises risks to victims,***	(b) supporting the development and dissemination of research and expertise on those matters and on assistance to victims, including by serving as a hub of expertise to support evidence-based policy ***and by inviting other Union institutions,***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		specially children, including by***:*** ***i)*** serving as a hub of expertise to support evidence-based policy ***and by linking researchers to practitioners***; ***ii) acting on behalf of supporting victims in liaising with other relevant authorities of the Member States for reparations and all other victim support programmes;*** ***iii) referring victims to the appropriate national child protection services and to pro bono legal support services;*** ***iv) facilitating access to qualified health care support services, including mental health and psychological support;*** ***v) supporting the collaboration of victim support services and elaborating best practices***	***bodies, offices and agencies, competent authorities including Coordinating Authorities, or other relevant authorities of the Member States to share information about relevant prevention initiatives***;	
Article 43, first paragraph, point (6)(ba)				
628a			***(ba) making available the knowledge referred to in points (a) and (b) in the database referred to in Article 50(4), and in accordance with Article 51;***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6)(c)				
629	(c) drawing up the annual reports referred to in Article 84.	(c) drawing up the annual reports referred to in Article 84.	(c) drawing up the annual reports referred to in Article 84~~.~~***;***	(c) drawing up the annual reports referred to in Article 84~~.~~***;*** ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 43, first paragraph, point (6)(ca)				
629a		***(ca) create, maintain and operate the online European Child Protection Platform established by Article 54a.***		ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6a)				
629b			***7.develop or facilitate the further development of technologies to mitigate the risk of online child sexual abuse in accordance with Article 50(1a);***	CNS TO DO (simplify/review lines 629b, 691a and 698a) ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 43, first paragraph, point (6b)				
629c			***8.develop a communication strategy and promote the dialogue with relevant stakeholders such as civil society organisations, law enforcement and providers of hosting services or interpersonal communications services to raise public awareness of and promote measures to prevent and combat online child sexual abuse.***	ITM 13.02: ON HOLD (CNS to do: prepare draft text on Art. 43c)
Article 44				
G 630	Article 44 Databases of indicators	Article 44 ***European Union*** Databases of ***hashes and*** indicators	Article 44 Databases of indicators	Article 44 ***European Union*** databases of indicators Recitals: EP TO DO (include in recitals an G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				explanation that indicators include hashes).
Article 44(1)				
631	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse:	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse:	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse:	1.The EU Centre shall create, maintain and operate databases of the following three types of indicators of online child sexual abuse: Text Origin: Commission Proposal
Article 44(1), point (a)				
632	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(a) indicators to detect the dissemination of child sexual abuse material previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1); Text Origin: Commission Proposal
Article 44(1), point (b)				
633	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1);	(b) indicators to detect the dissemination of child sexual abuse material not previously detected and identified as constituting child sexual abuse material in accordance with Article 36(1); Text Origin: Commission Proposal
Article 44(1), point (c)				
634	(c) indicators to detect the solicitation of children.	(c) indicators to detect the solicitation of children.	(c) indicators to detect the solicitation of children.	(c) indicators to detect the solicitation of children.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 44(2)				
635	2.The databases of indicators shall solely contain:	2.The databases of indicators shall solely contain:	2.The databases of indicators shall solely contain:	2.The databases of indicators shall solely contain: Text Origin: Commission Proposal
Article 44(2), point (a)				
636	(a) relevant indicators, consisting of digital identifiers to be used to detect the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;	(a) relevant indicators, consisting of digital identifiers to be used to detect the dissemination of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and ***number-independent*** interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;	(a) relevant indicators, consisting of digital identifiers ~~*to be used to detect the dissemination*~~ of known or new child sexual abuse material or the solicitation of children, as applicable, on hosting services and interpersonal communications services, generated by the EU Centre in accordance with paragraph 3;	ITM 15.01: ON HOLD Linked to voluntary detection/detection orders
Article 44(2), point (b)				
637	(b) as regards paragraph 1, point (a), the relevant indicators shall include a list of uniform resource locators compiled by the EU Centre in accordance with paragraph 3;	(b) as regards paragraph 1, point (a), the relevant indicators shall include a list of uniform resource locators compiled by the EU Centre in accordance with paragraph 3;	(b) as regards paragraph 1, point (a), the relevant indicators shall include ~~*a list*~~ ***lists*** of uniform resource locators compiled by the EU Centre in accordance with paragraph 3 ***for the purpose of, respectively, the issuance of blocking orders in accordance with Article 16 and the issuance of delisting orders in accordance with Article 18a***;	(b) as regards paragraph 1, point (a), the relevant indicators shall include a list of uniform resource locators compiled by the EU Centre in accordance with paragraph 3 ***for the purpose of this Regulation***; Text Origin: CY Acting Pcy2
Article 44(2), point (c)				
638	(c) the necessary additional	(c) the necessary additional	(c) the necessary additional	(c) the necessary additional

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children.	information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children.	information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children.	information to facilitate the use of the indicators in accordance with this Regulation, including identifiers allowing for a distinction between images, videos and, where relevant, other types of material for the detection of the dissemination of known and new child sexual abuse material and language identifiers for the detection of solicitation of children. Text Origin: Commission Proposal
Article 44(3), first subparagraph				
639	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the Coordinating Authorities or the courts or other independent authorities of the Member States, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a).	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the Coordinating Authorities or the courts or other independent authorities of the Member States ***subject to judicial validation***, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a).	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the ~~Coordinating Authorities or the courts or other independent~~ ***competent*** authorities of the Member States, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a)***, or by other competent authorities pursuant to Article 36(1a)***.	3.The EU Centre shall generate the indicators referred to in paragraph 2, point (a), solely on the basis of the child sexual abuse material and the solicitation of children identified as such by the ~~Coordinating Authorities or the courts or other independent~~***[competent]*** authorities of the Member States***, [subject to judicial oversight]***, submitted to it by the Coordinating Authorities pursuant to Article 36(1), point (a)***[, or by other competent authorities pursuant to Article 36(1a)]***. ITM 23.02: Linked to the discussion on Article 36(1) and (1a) - lines 562- 565a. CNS/EP agree on the principle. Text Origin: CY Acting Pcy2
Article 44(3), second subparagraph				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
640	The EU Centre shall compile the list of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b).	The EU Centre shall compile the list of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b).	The EU Centre shall compile ~~*the list*~~ ***lists*** of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b) ***for the purpose of, respectively, the issuance of blocking orders in accordance of Article 16 and the issuance of delisting orders in accordance with Article 18a***.	The EU Centre shall compile the list of uniform resource locators referred to in paragraph 2, point (b), solely on the basis of the uniform resource locators submitted to it pursuant to Article 36(1), point (b) ***for the purpose of this Regulation***. Text Origin: CY Acting Pcy2
Article 44(4)				
641	4.The EU Centre shall keep records of the submissions and of the process applied to generate the indicators and compile the list referred to in the first and second subparagraphs. It shall keep those records for as long as the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.	4.The EU Centre shall keep records of the submissions and of the process applied to generate the indicators and compile the list referred to in the first and second subparagraphs. It shall keep those records for as long as the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.	4.The EU Centre shall keep records of the submissions and of the process applied to generate the indicators and compile the ~~*list*~~***lists*** referred to in the first and second subparagraphs. It shall keep those records for ~~*as long as*~~ ***no longer than*** the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.	4.The EU Centre shall keep records of the submissions and of the process applied to generate the indicators and compile the list referred to in the first and second subparagraphs. It shall keep those records for as long as ***but no longer than*** the indicators, including the uniform resource locators, to which they correspond are contained in the databases of indicators referred to in paragraph 1.
Article 44(4a)				
641a		***4a. The EU Centre shall ensure through all technical means available that the databases of indicators are secure and the content cannot be altered by any other actor.***		*deleted*
Article 45				
642	Article 45	Article 45	Article 45	Article 45

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Database of reports	Database of reports	Database of reports	Database of reports Text Origin: Commission Proposal
Article 45(1)				
643	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of ***number-independent*** interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48.	1.The EU Centre shall create, maintain and operate a database for the reports submitted to it by providers of hosting services and providers of ***number-independent*** interpersonal communications services in accordance with Article 12(1) and assessed and processed in accordance with Article 48. Trilogue (11.05.): Provisionally agreed. Text Origin: Auxiliary 1
Article 45(2)				
644	2.The database of reports shall contain the following information:	2.The database of reports shall contain the following information:	2.The database of reports shall contain the following information:	2.The database of reports shall contain the following information: Text Origin: Commission Proposal
Article 45(2), point (a)				
645	(a) the report;	(a) the report;	(a) the report;	(a) the report; Text Origin: Commission Proposal
Article 45(2), point (b)				
646	(b) where the EU Centre considered the report manifestly unfounded, the reasons and the date and time of informing the provider in accordance	*deleted*	*(b)* where the EU Centre considered the report manifestly unfounded, the reasons and the date and time of informing the provider in accordance	*deleted* *Trilogue 16.04.: Provisionally agreed*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	with Article 48(2);		with Article 48(2);	*that manifestly unfounded reports should not be kept by the EU Centre. Pcy suggests deletation.* Text Origin: CY Acting Pcy2
Article 45(2), point (ba)				
646a				*deleted*
Article 45(2), point (c)				
647	*(c)* where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis;	(c) where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis;	(c) where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis;	(c) where the EU Centre forwarded the report in accordance with Article 48(3), the date and time of such forwarding and the name of the competent law enforcement authority or authorities to which it forwarded the report or, where applicable, information on the reasons for forwarding the report solely to Europol for further analysis; Text Origin: Commission Proposal
Article 45(2), point (d)				
648	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5);	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5);	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5);	(d) where applicable, information on the requests for and provision of additional information referred to in Article 48(5); Text Origin: Commission Proposal
Article 45(2), point (e)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
649	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material;	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material;	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material;	(e) where available, information indicating that the provider that submitted a report concerning the dissemination of known or new child sexual abuse material removed or disabled access to the material; Text Origin: Commission Proposal
Article 45(2), point (f)				
650	(f) where applicable, information on the EU Centre's request to the Coordinating Authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the report relates;	(f) where applicable, information on the EU Centre's request to the Coordinating Authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the report relates;	(f) where applicable, information on the EU Centre's request to the ~~Coordinating~~ ***competent*** authority of establishment to issue a removal order pursuant to Article 14 in relation to the item or items of child sexual abuse material to which the report relates;	ITM 13.02: Linked to discussion on Removal orders (Article s 14, 14a and 15)
Article 45(2), point (g)				
651	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material.	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material.	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material.	(g) relevant indicators and ancillary tags associated with the reported potential child sexual abuse material. Text Origin: Commission Proposal
Article 45(2), subparagraph 1				
651a		***Where the EU Centre considered the report unfounded, all data shall be anonymized and in case of videos or images only a cryptographic hash value from the reported file, the reasons and the date and time of informing the provider in accordance with Article***		***(ga) Where the EU Centre is informed by the Coordinating Authority pursuant to Article 36(4) that reports forwarded by the EU Centre to the Coordinating Authority are unfounded, the EU Centre shall ensure that all personal data contained in that***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		48(2) shall be stored;		***report shall be anonymised.***
Article 46				
652	Article 46 Access, accuracy and security	Article 46 Access, accuracy and security	Article 46 Access, accuracy and security	Article 46 Access, accuracy and security Text Origin: Commission Proposal
Article 46(1)				
653	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be entitled to process the data contained in the databases referred to in Articles 44 and 45.	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be entitled to process the data contained in the databases referred to in Articles 44 and 45.	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be entitled to process the data contained in the databases referred to in Articles 44 and 45.	1.Subject to paragraphs 2 and 3, solely EU Centre staff and auditors duly authorised by the Executive Director shall have access to and be entitled to process the data contained in the databases referred to in Articles 44 and 45. Text Origin: Commission Proposal
Article 46(2)				
654	2.The EU Centre shall give providers of hosting services, providers of interpersonal communications services and providers of internet access services access to the databases of indicators referred to in Article 44, where and to the extent necessary for them to execute the detection or blocking orders that they received in accordance with Articles 7 or 16. It shall take measures to ensure that such access remains limited to what is strictly necessary for the period of application of the detection or	2.The EU Centre shall give providers of hosting services, providers of interpersonal communications services and providers of internet access services access to the databases of indicators referred to in Article ~~44~~***44(1) points (a) and (b)***, where and to the extent necessary for them to execute the detection ~~or~~, blocking orders that they received in accordance with Articles ~~7 or 16. It~~***5a, 7, 16. The EU Centre*** shall take measures to ensure that such access remains limited to what is strictly necessary for the	2.The EU Centre shall give providers of hosting services, providers of interpersonal communications services ~~and~~ , providers of internet access services ***and providers of online search engines*** access to the databases of indicators referred to in Article 44, where and to the extent necessary for them to ***carry out voluntary activities under Regulation (EU) 2021/1232 or*** execute the ~~detection or~~ blocking orders that they received in accordance with ~~Articles 7 or 16~~***Article16***. It shall take	ITM 15.01: ON HOLD Linked to voluntary detection/detection orders

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	blocking orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein.	period of application of the detection ~~or~~, blocking orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein.	measures to ensure that such access remains limited to what is strictly necessary for the period of application of the ~~detection or~~***activities under Regulation (EU) 2021/1232or*** blocking orders concerned and that such access does not in any way endanger the proper operation of those databases and the accuracy and security of the data contained therein.	
Article 46(3)				
655	3.The EU Centre shall give Coordinating Authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation.	3.The EU Centre shall give Coordinating Authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation.	3.The EU Centre shall give ~~Coordinating~~ ***competent*** authorities access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks under this Regulation.	ITM 13.02: Linked to discussion about orders (Removal, etc.)
Article 46(4)				
G 656	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating suspected child sexual abuse offences.	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating suspected child sexual abuse offences.	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating suspected child sexual abuse offences.	4.The EU Centre shall give Europol and the competent law enforcement authorities of the Member States access to the databases of indicators referred to in Article 44 where and to the extent necessary for the performance of their tasks of investigating ~~suspected~~ child sexual abuse offences. Text Origin: Commission Proposal G
Article 46(5)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
657	5.The EU Centre shall give Europol access to the databases of reports referred to in Article 45, where and to the extent necessary for the performance of its tasks of assisting investigations of suspected child sexual abuse offences	5.The EU Centre shall give Europol access to the databases of reports ***which it considered not unfounded as*** referred to in Article 45, where and to the extent necessary for the performance of its tasks of assisting investigations of ~~*suspected*~~ child sexual abuse offences.	5.The EU Centre shall give Europol access to the databases of reports referred to in Article 45, where and to the extent necessary for the performance of its tasks of assisting investigations of suspected child sexual abuse offences	5.The EU Centre shall give Europol access to the databases of reports referred to in Article 45, where and to the extent necessary for the performance of its tasks of assisting investigations of ~~*suspected*~~ child sexual abuse offences
Article 46(6), first subparagraph				
658	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the detection order or the blocking order, as applicable.	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the detection order or the blocking order, as applicable.	6.The EU Centre shall provide the access referred to in paragraphs 2, 3, 4 and 5 only upon the reception of a request, specifying the purpose of the request, the modalities of the requested access, and the degree of access needed to achieve that purpose. The requests for the access referred to in paragraph 2 shall also include a reference to the ~~*detection order*~~ ***voluntary activities under Regulation (EU) 2021/1232*** or the blocking order, as applicable.	ITM 15.01: ON HOLD Linked to voluntary detection/detection orders
Article 46(6), second subparagraph				
659	The EU Centre shall diligently assess those requests and only grant access where it considers that the requested access is necessary for and proportionate to the specified purpose.	The EU Centre shall diligently assess those requests ***on a case-by-case basis*** and only grant access where it considers that the requested access is necessary for and proportionate to the specified purpose***, and in accordance with the Union law***. ***Where it considers that an access request by Europol is necessary and proportionate, it shall transmit the relevant data via***	The EU Centre shall diligently assess those requests and only grant access where it considers that the requested access is necessary for and proportionate to the specified purpose.	The EU Centre shall diligently assess those requests ***on a case-by-case basis*** and only grant access where it considers that the requested access is necessary for and proportionate to the specified purpose***, and in accordance with Union law***. Text Origin: CY Acting Pcy2

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		an available secure exchange communication tool, such as the Secure Information Exchange Network Application (SIENA).		
Article 46(7)				
660	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, detection and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, detection and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, ~~*detection*~~***detecting*** and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.	7.The EU Centre shall regularly verify that the data contained in the databases referred to in Articles 44 and 45 is, in all respects, complete, accurate and up-to-date and continues to be necessary for the purposes of reporting, ~~*detection*~~***detecting*** and blocking in accordance with this Regulation, as well as facilitating and monitoring of accurate detection technologies and processes. In particular, as regards the uniform resource locators contained in the database referred to Article 44(1), point (a), the EU Centre shall, where necessary in cooperation with the Coordination Authorities, regularly verify that the conditions of Article 36(1), point (b), continue to be met. Those verifications shall include audits, where appropriate. Where necessary in view of those verifications, it shall immediately complement, adjust or delete the data.
Article 46(8)				
661	8.The EU Centre shall ensure that the data contained in the databases referred to in Articles 44 and 45 is	8.The EU Centre shall ensure that the data contained in the databases referred to in Articles 44 and 45 is	8.The EU Centre shall ensure that the data contained in the databases referred to in Articles 44 and 45 is	8.The EU Centre shall ensure ***through all appropriate technical means available*** that the data

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	stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the data can be accessed and processed only by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.	stored in a secure manner and that the storage is subject to ~~appropriate~~***highest state of the art*** technical and organisational safeguards***, that ensure an effective supervision***. Those safeguards shall ensure, in particular, that the data can be accessed and processed only by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.	stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the data can be accessed and processed only by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.	contained in the databases referred to in Articles 44 and 45 is stored in a secure manner and that the storage is subject to ~~appropriate~~***the state of the art*** technical and organisational safeguards***, that ensure an effective supervision***. Those safeguards shall ensure, in particular, that the data can be accessed and processed only by duly authorised persons for the purpose for which the person is authorised and that a high level of security is achieved. The EU Centre shall regularly review those safeguards and adjust them where necessary.
Article 47				
G 662	Article 47 Delegated acts relating to the databases	Article 47 Delegated acts relating to the databases	Article 47 Delegated acts relating to the databases	Article 47 Delegated acts relating to the databases Text Origin: Commission Proposal
Article 47, first paragraph				
G 663	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning:	The Commission shall be empowered to adopt delegated acts in accordance with Article 86 in order to supplement this Regulation with the necessary detailed rules concerning: Text Origin: Commission Proposal
Article 47, first paragraph, point (a)				

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664	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2);	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2);	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2);	(a) the types, precise content, set-up and operation of the databases of indicators referred to in Article 44(1), including the indicators and the necessary additional information to be contained therein referred to in Article 44(2); Text Origin: Commission Proposal
Article 47, first paragraph, point (b)				
665	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3);	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3);	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3);	(b) the processing of the submissions by Coordinating Authorities, the generation of the indicators, the compilation of the list of uniform resource locators and the record-keeping, referred to in Article 44(3); Text Origin: Commission Proposal
Article 47, first paragraph, point (c)				
666	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1);	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1);	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1);	(c) the precise content, set-up and operation of the database of reports referred to in Article 45(1); Text Origin: Commission Proposal
Article 47, first paragraph, point (d)				
667	(d) access to the databases referred to in Articles 44 and 45, including the modalities of the access referred to in Article 46(1) to (5), the content, processing and assessment of the	(d) ***the modalities of the*** access to the databases referred to in Articles 44 and 45~~, including the modalities of the access referred to~~ in ***accordance with*** Article 46(1) to (5),	(d) access to the databases referred to in Articles 44 and 45, including the modalities of the access referred to in Article 46(1) to (5), the content, processing and assessment of the	(d) ***the modalities of the*** access to the databases referred to in Articles 44 and 45~~, including the modalities of the access referred to~~ in ***accordance with*** Article 46(1) to (5),

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	requests referred to in Article 46(6), procedural matters related to such requests and the necessary measures referred to in Article 46(6);	the content, processing and assessment of the requests ~~*referred to*~~ in ***accordance with*** Article 46(6), procedural matters related to such requests and the necessary measures ~~*referred to*~~ in ***accordance with*** Article 46(6);	requests referred to in Article 46(6), procedural matters related to such requests and the necessary measures referred to in Article 46(6);	the content, processing and assessment of the requests ~~*referred to*~~ in ***accordance with*** Article 46(6), procedural matters related to such requests and the necessary measures ~~*referred to*~~ in ***accordance with*** Article ~~*46(6)*~~***46(7) to (8)***; Text Origin: CY Acting Pcy2
Article 47, first paragraph, point (e)				
668	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8).	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8).	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8).	(e) the regular verifications and audits to ensure that the data contained in those databases is complete, accurate and up-to-date referred to in Article 46(7) and the security of the storage of the data, including the technical and organisational safeguards and regular review referred to in Article 46(8). Text Origin: Commission Proposal
Article 48				
669	Article 48 Reporting	Article 48 Reporting	Article 48 Reporting	Article 48 Reporting Text Origin: Commission Proposal
Article 48(1)				
670	1.The EU Centre shall expeditiously assess and process reports submitted by providers of hosting services and providers of interpersonal	1.The EU Centre shall expeditiously ***and accurately*** assess and process reports submitted by providers of hosting services and providers of	1.The EU Centre shall expeditiously assess and process reports submitted by providers of hosting services and providers of interpersonal	1.The EU Centre shall expeditiously ***and diligently*** assess and process reports submitted by providers of hosting services and providers of

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	communications services in accordance with Article 12 to determine whether the reports are manifestly unfounded or are to be forwarded.	***number-independent,*** interpersonal communications services in accordance with Article 12 to determine whether the reports are ~~*manifestly*~~ unfounded or ~~*are to be forwarded*~~ ***not.***	communications services in accordance with Article 12 to determine whether the reports are manifestly unfounded or are to be forwarded.	***number-independent*** interpersonal communications services in accordance with Article 12 to determine whether the reports are manifestly unfounded or are to be forwarded. Trilogue (11.05.): Provisionally agreed.
Article 48(2)				
G 671	2.Where the EU Centre considers that the report is manifestly unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded.	2.Where the EU Centre considers that the report is ~~*manifestly*~~ unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded.	2.Where the EU Centre considers that the report is manifestly unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded.	2.Where the EU Centre considers that the report is manifestly unfounded, it shall inform the provider that submitted the report, specifying the reasons why it considers the report to be unfounded***, and delete the report thereafter***. Text Origin: Council Mandate
Article 48(3), first subparagraph				
G 672	3.Where the EU Centre considers that a report is not manifestly unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.	3.Where***, after a thorough legal and factual assessment,*** the EU Centre considers that a report is not ~~*manifestly*~~ unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.	3.Where ***there are reasonable grounds for*** the EU Centre ~~*considers that a*~~ ***to consider that the*** report is not manifestly unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates.	3.Where ***there are reasonable grounds for*** the EU Centre ~~*considers that a*~~***to consider that the*** report is not manifestly unfounded, it shall forward the report, together with any additional relevant information available to it, to Europol and to the competent law enforcement authority or authorities of the Member State likely to have jurisdiction to investigate or prosecute the potential child sexual abuse to which the report relates. Text Origin: CY Acting Pcy2

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Article 48(3), first subparagraph a				
G 672a				***Where the EU Centre is informed that the material contained in a report does not constitute child sexual abuse material or the solicitation of children in accordance with Article 36(4), it shall inform Europol accordingly.*** G
Article 48(3), second subparagraph				
G 673	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities.	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty ***by a thorough factual assessment***, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities~~.~~	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities.	Where that competent law enforcement authority or those competent law enforcement authorities cannot be determined with sufficient certainty, the EU Centre shall forward the report, together with any additional relevant information available to it, to Europol, for further analysis and subsequent referral by Europol to the competent law enforcement authority or authorities. Text Origin: Council Mandate G
Article 48(4)				
674	4.Where a provider that submitted the report has indicated that the report requires urgent action, the EU Centre shall assess and process that report as a matter of priority and, where it forwards the report in accordance with paragraph 3 and it considers that the report requires urgent action, shall ensure that the forwarded report is marked as such.	4.Where a provider that submitted the report has indicated that the report requires urgent action, the EU Centre shall assess and process that report as a matter of priority and, where it forwards the report in accordance with paragraph 3 and it considers that the report requires urgent action, shall ensure that the forwarded report is marked as such.	4.~~*Where a provider that submitted the report has indicated that the report requires urgent action,*~~ The EU Centre shall ~~*assess and process that report*~~***perform the assessment and processing referred to in paragraphs 1, 2 and 3 of this Article*** as a matter of priority ~~*and*~~***in respect of reports submitted in accordance with Article 13(2), first***	4.~~*Where a provider that submitted the report has indicated that the report requires urgent action,*~~ The EU Centre shall ~~*assess and process that report*~~***perform the assessment and processing referred to in paragraphs 1, 2 and 3 of this Article*** as a matter of priority ~~*and*~~***in respect of reports submitted in accordance with Article 13(2), first***

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			subparagraph. In particular, where ***there are reasonable grounds for the EU Centre to consider that the report is founded and that there is likely to be an imminent threat to the life or safety of a child including when the report indicates ongoing abuse, it shall immediately forward the report in accordance with paragraph 3, marking it as requiring urgent action.*** ***In other cases, it shall forward*** ~~*it forwards*~~ the report in accordance with paragraph 3 ***without such marking and inform the provider that submitted*** ~~*and it considers that*~~ the report ~~*requires urgent action, shall ensure that the forwarded report is marked as such*~~***and the competent authority, indicating in all cases the outcome of the assessment and the reasons explaining that outcome***.	***subparagraph.*** Where ***there are reasonable grounds for the EU Centre to consider that the report is likely related to an emergency case, it shall immediately forward*** ~~*it forwards*~~ the report in accordance with paragraph 3***, marking it as requiring*** ~~*and it considers that the report requires*~~ urgent action~~*, shall ensure that the forwarded report is marked as such.*~~**.** Informal meeting (13.05.): For provisional agreement. Text Origin: Council Mandate
Article 48(5)				
675	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information.	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information.	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information.	5.Where the report does not contain all the information required in Article 13, the EU Centre may request the provider that submitted the report to provide the missing information. Text Origin: Commission Proposal
Article 48(6)				

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G	676	6.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall:	6.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall:	6.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall:	6.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall: Text Origin: Commission Proposal
Article 48(6), point (a)					
G	677	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so;	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so;	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so;	(a) communicate to the provider that submitted the report that it is not to inform the user concerned, specifying the time period during which the provider is not to do so; Text Origin: Commission Proposal
Article 48(6), point (b)					
G	678	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so.	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so.	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so.	(b) where the provider that submitted the report is a provider of hosting services and the report concerns the potential dissemination of child sexual abuse material, communicate to the provider that it is not to remove or disable access to the material, specifying the time period during which the provider is not to do so. Text Origin: Commission Proposal
Article 48(7)					

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679	7.The time periods referred to in the first subparagraph, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary to avoid interference with the relevant activities and does not exceed 18 months.	7.The time periods referred to in ~~the first subparagraph~~***paragraph 6***, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary ***and proportionate to safeguard the prevention, detection, investigation and prosecution of child sexual abuse offences in a specific case These time periods shall not in any case*** ~~to avoid interference with the relevant activities and does not~~ exceed ~~18~~***12*** months.	7.The time periods referred to in ~~the first subparagraph~~***paragraph 6***, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary to avoid interference with the relevant activities and does not exceed 18 months***, as well as constitute necessary and proportionate restrictions and respect the essence of the rights of the victims***.	7.The time periods referred to in ~~the first subparagraph~~***paragraph 6***, points (a) and (b), shall be those specified in the competent law enforcement authority's request to the EU Centre, provided that they remain limited to what is necessary ***and proportionate to safeguard the prevention, detection, investigation and prosecution of child sexual abuse offences and protect the rights of the victims in a specific case. These time periods shall*** ~~to avoid interference with the relevant activities and does~~ not exceed 18 months. Text Origin: CY Acting Pcy2
Article 48(8)				
680	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof.	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof.	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof.	8.The EU Centre shall verify whether a provider of hosting services that submitted a report concerning the potential dissemination of child sexual abuse material removed or disabled access to the material, insofar as the material is publicly accessible. Where it considers that the provider did not remove or disable access to the material expeditiously, the EU Centre shall inform the Coordinating Authority of establishment thereof. Text Origin: Commission Proposal

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Article 49				
681	Article 49 Searches and notification	Article 49 Searches and notification	Article 49 Searches and notification	Article 49 Searches and notification Text Origin: Commission Proposal
Article 49(1)				
682	1.The EU Centre shall have the power to conduct searches on hosting services for the dissemination of publicly accessible child sexual abuse material, using the relevant indicators from the database of indicators referred to in Article 44(1), points (a) and (b), in the following situations:	1.The EU Centre shall have the power to conduct searches ***of publicly accessible content*** on hosting services for ~~*the dissemination of publicly accessible*~~ child sexual abuse material, using the relevant indicators from the database of indicators referred to in Article 44(1), points (a) and (b), in the following situations:	1.The EU Centre shall have the power to conduct searches on hosting services for the dissemination of publicly accessible child sexual abuse material, using the relevant indicators from the ~~*database*~~***databases*** of indicators referred to in Article 44(1), points (a) and (b), in the following situations:	1.The EU Centre shall have the power to conduct searches ***of publicly accessible content*** on hosting services for ~~*the dissemination of publicly accessible*~~ child sexual abuse material, using the relevant indicators from the ~~*database*~~***databases*** of indicators referred to in Article 44(1), points (a) and (b), in the following situations: Text Origin: EP Mandate
Article 49(1), point (a)				
683	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point (c);	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point (c);	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point (c);	(a) where so requested to support a victim by verifying whether the provider of hosting services removed or disabled access to one or more specific items of known child sexual abuse material depicting the victim, in accordance with Article 21(4), point ~~*(c)*~~***(b)***; Text Origin: Commission Proposal
Article 49(1), point (b)				
684	(b) where so requested to assist a	(b) where so requested to assist a	(b) where so requested to assist a	

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	Coordinating Authority by verifying the possible need for the issuance of a detection order or a removal order in respect of a specific service or the effectiveness of a detection order or a removal order that the Coordinating Authority issued, in accordance with Article 25(7), points (c) and (d), respectively.	Coordinating Authority by verifying the possible need for the issuance of a detection order or a removal order in respect of a specific service or the effectiveness of a detection order or a removal order that the Coordinating Authority issued, in accordance with Article 25(7), points (c) and (d), respectively.	~~Coordinating~~ ***competent*** authority by verifying the possible need for the issuance of ~~a detection order or~~ a removal order in respect of a specific service ~~or the effectiveness of a detection order or a removal order that the Coordinating Authority issued~~ , in accordance with Article 25(7), ~~points (c) and (d), respectively~~ ***point (c) ;***	ITM 15.01: ON HOLD Linked to voluntary detection/detection orders
Article 49(1), point (ba)				
684a		***(ba) proactively on its own initiative for known child sexual abuse material. The European Data Protection Board shall issue guidelines regarding the compliance with Regulation (EU) 2016/679 of existing and future technologies that are used for this purpose.***		ITM 23.02: COM provided draft proposal; ON HOLD (proactive searches) (Lines 614b, 684a, 684b, 686a) Linked to voluntary detection/detection orders
Article 49 (1 a new)				
684b		***1a The technologies used by the EU Centre to conduct the searches referred to in paragraph 1 shall comply with the requirements set out in Article 10 (3).***		ITM 23.02: ON HOLD (proactive searches) (Lines 614b, 684a, 684b, 686a) Linked to voluntary detection/detection orders
Article 49(2), first subparagraph				
685	2.The EU Centre shall have the power to notify, after having conducted the searches referred to in paragraph 1, providers of hosting	2.The EU Centre shall ~~have the power to~~ notify, after having conducted the searches referred to in paragraph 1 ***(a) and (b)***, providers of	2.The EU Centre shall have the power to notify, after having conducted the searches referred to in paragraph 1, providers of hosting	2.The EU Centre shall ~~have the power to~~ notify, after having conducted the searches referred to in paragraph 1, providers of hosting

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	services of the presence of one or more specific items of known child sexual abuse material on their services and request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	hosting services of the presence of one or more specific items of known child sexual abuse material on their services and request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	services of the presence of one or more specific items of known child sexual abuse material on their services and request them to remove or disable access to that item or those items, for the providers' voluntary consideration.	services of the presence of one or more specific items of known ***[or potential new*** child sexual abuse material***]*** on their services and***, [in the case of known child sexual abuse material],*** request them to remove or disable access to that item or those items, for the providers' voluntary consideration. ITM 13.02: ON HOLD (Linked to COM's proposal for lines 684a and 684b, linked to line 687) Text Origin: CY Acting Pcy2
Article 49(2), second subparagraph				
686	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration.	The request shall clearly set out the identification details of the EU Centre and a contact point, the necessary information for the identification of the item or items, as well as the reasons for the request. The request shall also clearly state that it is for the provider's voluntary consideration. Text Origin: Commission Proposal
Article 49(2), second subparagraph a				
686a		***After having conducted the searches referred to in paragraph 1 (ba), the EU Centre shall notify the competent Coordinating Authority which shall request the provider to remove or disable access to that***		ITM 13.02: ON HOLD (proactive searches) (Lines 614b, 684a, 684b, 686a) Linked to voluntary detection/detection

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		item or those items pursuant to Article 32 or request a removal order pursuant to Article 14.		orders
Article 49(3)				
687	3.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall not submit a notice, for as long as necessary to avoid such interference but no longer than 18 months.	3.Where ~~*so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for*~~***it is necessary and proportionate to safeguard*** the prevention, detection, investigation and prosecution of child sexual abuse offences ***in a specific case and where requested by a competent law enforcement authority of a Member State***, the EU Centre shall not ~~*submit a notice, for as long as necessary to avoid such interference but*~~***proceed according to paragraph 2. This non-submission shall be in any case*** no longer than ~~*18*~~***12*** months.	3.Where so requested by a competent law enforcement authority of a Member State in order to avoid interfering with activities for the prevention, detection, investigation and prosecution of child sexual abuse offences, the EU Centre shall not submit a notice, for as long as necessary to avoid such interference but no longer than 18 months.	ITM 13.02: ON HOLD (covered in line 685)
Article 50				
688	Article 50 Technologies, information and expertise	Article 50 Technologies, information and expertise	Article 50 Technologies, information and expertise	Article 50 Technologies, information and expertise Text Origin: Commission Proposal
Article 50(1), first subparagraph				
689	1.The EU Centre shall make available technologies that providers of hosting services and providers of interpersonal communications	1.The EU Centre shall make available technologies that providers of hosting services and providers of ***number-independent*** interpersonal	1.The EU Centre shall make available technologies that providers of hosting services and providers of interpersonal communications	ITM 15.01: ON HOLD (CNS to do: Merge lines 695a and 689, linked to technologies).

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	services may acquire, install and operate, free of charge, where relevant subject to reasonable licensing conditions, to execute detection orders in accordance with Article 10(1).	communications services may acquire, install and operate, free of charge, where relevant subject to reasonable licensing conditions, to execute detection orders in accordance with Article 10(1). ***The EU Centre shall make available tools, technologies and relevant best practices for the implementation of the mitigation measures referred to in Article 4 of this Regulation. The EU Centre shall make publicly available the relevant information related to the making available of these technologies or tools, including the names of the manufacturers of the technologies***	services may acquire, install and operate, free of charge, where relevant subject to reasonable licensing conditions~~, to execute detection orders in accordance with Article 10(1)~~ ***to mitigate the risk of the dissemination of child sexual abuse material and the solicitation of children on their services***. .	Linked to voluntary detection/detection orders
Article 50(1), second subparagraph				
690	To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article 10(2).	To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article 10(2).	~~To that aim, the EU Centre shall compile lists of such technologies, having regard to the requirements of this Regulation and in particular those of Article 10(2).~~	ITM 15.01: ON HOLD Linked to voluntary detection/detection orders
Article 50(1), third subparagraph				
691	Before including specific technologies on those lists, the EU Centre shall request the opinion of its Technology Committee and of the European Data Protection Board. The Technology Committee and the European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further	Before including specific technologies on those lists, the EU Centre shall request the ~~opinion~~***opinions*** of its Technology Committee and ***Victims' Rights and Survivors Consultative Forum, and through the European Commission, the opinion*** of the European Data Protection Board. The Technology Committee***, the Victims'***	Before ***making available*** ~~including~~ specific technologies ~~on those lists~~, the EU Centre shall request the opinion of its Technology Committee and of the European Data Protection Board. The Technology Committee and the European Data Protection Board shall deliver their respective opinions within eight weeks. That	Before including specific technologies on those lists, the EU Centre shall request the ~~opinion~~***opinions*** of its Technology Committee and ***Victims Consultative Forum, and through the Commission, the opinion*** of the European Data Protection Board. The Technology Committee***, the Victims Consultative Forum*** and the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay.	***Consultative Forum*** and the European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay. ***Where the EU Centre substantially deviates from those opinions, it shall inform, where applicable, the Technology Committee, the Victims' Rights and Survivors Consultative Forum, or the European Data Protection Board and the Commission thereof, specifying the points where it deviated and the main reasons for that deviation.***	period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay.	European Data Protection Board shall deliver their respective opinions within eight weeks. That period may be extended by a further six weeks where necessary, taking into account the complexity of the subject matter. The Technology Committee and the European Data Protection Board shall inform the EU Centre of any such extension within one month of receipt of the request for consultation, together with the reasons for the delay. ***Where the EU Centre substantially deviates from those opinions, it shall inform, where applicable, the Technology Committee, the Victims Consultative Forum, or the European Data Protection Board and the Commission thereof, specifying the points where it deviated and the main reasons for that deviation.*** Text Origin: EP Mandate
Article 50(1a)				
691a			***1a. The EU Centre shall, in cooperation with Coordinating Authorities, providers of hosting services and providers of interpersonal communications services and, where relevant, independent experts, develop or facilitate the further development of technologies to mitigate the risk of***	*deleted*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			online child sexual abuse, including the solicitation of children.	
Article 50(2)				
692	*2.*The EU Centre shall collect, record, analyse and make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular:	2.The EU Centre shall collect, record, ***aggregate,*** analyse and ***proactively*** make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular:	2.The EU Centre shall collect, record, analyse and make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular:	2.The EU Centre shall collect, record, ***aggregate,*** analyse and ***proactively*** make available relevant, objective, reliable and comparable information on matters related to the prevention and combating of child sexual abuse, in particular: Text Origin: EP Mandate
Article 50(2), point (a)				
693	(a) information obtained in the performance of its tasks under this Regulation concerning detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse;	(a) information obtained in the performance of its tasks under this Regulation concerning detection, reporting, removal or disabling of access to, and blocking of online child sexual abuse;	(a) information obtained in the performance of its tasks under this Regulation concerning ~~*detection*~~***mitigating risks, detecting***, reporting, ~~*removal*~~***removing*** or disabling of access to, and blocking of online child sexual abuse;	(a) information obtained in the performance of its tasks under this Regulation concerning ~~*detection*~~***mitigating risks, detecting***, reporting, ~~*removal*~~***removing*** or disabling of access to, and blocking of online child sexual abuse***, as well as assistance and support in accordance with Articles 20 and 21***; Text Origin: Council Mandate
Article 50(2), point (b)				
694	(b) information resulting from the research, surveys and studies referred to in paragraph 3;	(b) information resulting from the research, surveys and studies referred to in paragraph 3;	(b) information resulting from the research, surveys and studies referred to in paragraph 3;	(b) information resulting from the research, surveys and studies referred to in paragraph 3; Text Origin: Commission Proposal
Article 50(2), point (c)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
695	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres and civil society organisations.	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres, ***hotlines, helplines*** and civil society organisations.	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres and civil society organisations~~.~~ ***;***	(c) information resulting from research or other activities conducted by Member States' authorities, other Union institutions, bodies, offices and agencies, the competent authorities of third countries, international organisations, research centres, and civil society organisations***, including hotlines and helplines***. Text Origin: EP Mandate
Article 50(2), point (ca)				
695a			***d.information on available technologies and tools.***	ITM 13.02: ON HOLD (Covered in line 689)
Article 50(2), point (cb)				
695b		***(ca) information obtained in the performance of its tasks under this Regulation concerning victim assistance and support.***		*deleted*
Article 50(3)				
696	*3.*Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission.	3.Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission. ***The outcome of***	3.Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission.	3.Where necessary for the performance of its tasks under this Regulation, the EU Centre shall carry out, participate in or encourage research, surveys and studies***, taking into account age, gender, vulnerable groups and national specificities***, either on its own initiative or, where appropriate and compatible with its priorities and its annual work programme, at the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		the research, surveys and studies referred to in this paragraph, including its analysis thereof, shall be made publicly available.		request of the European Parliament, the Council or the Commission. Text Origin: CY Acting Pcy2
Article 50(3a), first subparagraph				
G 696a			***3a. The EU Centre shall keep a database encompassing all research, surveys and studies, involving public EU or national resources, as referred to in paragraphs 2 and 3 and the information resulting thereof. That database shall not contain any personal data other than information identifying the authors and any other persons having contributed to the research, survey and studies.***	***3a. The EU Centre shall keep a database encompassing all research, surveys and studies, involving public EU or national resources, as referred to in paragraphs 2 and 3 and the information resulting thereof. That database shall not contain any personal data other than information identifying the authors and any other persons having contributed to the research, survey and studies.*** Text Origin: CY Acting Pcy2
Article 50(3a), second subparagraph				
G 696b			***The competent authorities may consult this database where necessary for the performance of their tasks under this Regulation.***	***The competent authorities may consult this database where necessary for the performance of their tasks under this Regulation.*** Text Origin: CY Acting Pcy2
Article 50(3a), third subparagraph				
G 696c			***The EU Centre may decide to provide the appropriate level of access for consultation of this database to other entities and individuals upon reasoned request, if the requesting entities and***	***The EU Centre may decide to provide the appropriate level of access for consultation of this database to other entities and individuals upon reasoned request, if the requesting entities and***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			individuals can justify that such access could contribute to the achievement of the objectives of this Regulation.	***individuals can justify that such access could contribute to the achievement of the objectives of this Regulation.*** Text Origin: CY Acting Pcy2
Article 50(3b)				
696d		***3a. The EU Centre shall support Member States and the Coordinating Authorities in conducting research, taking into account age, gender, vulnerable groups and national specificities. The collected knowledge shall serve as a tool to elaborate prevention methods adapted and implemented by Coordinating Authorities in each Member State.***		*deleted* Text Origin: CY Acting Pcy2
Article 50(4)				
697	*4.*The EU Centre shall provide the information referred to in paragraph 2 and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof, and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority.	4.The EU Centre shall provide the information referred to in paragraph 2 ~~*and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof,*~~ and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority.	4.The EU Centre shall provide the information referred to in paragraph 2 and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof, and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority.	4.The EU Centre shall provide the information referred to in paragraph 2 and the information resulting from the research, surveys and studies referred to in paragraph 3, including its analysis thereof, and its opinions on matters related to the prevention and combating of online child sexual abuse to other Union institutions, bodies, offices and agencies, Coordinating Authorities, other competent authorities and other public authorities of the Member States, either on its own initiative or at request of the relevant authority.

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Where appropriate, the EU Centre shall make such information publicly available.	Where appropriate, the EU Centre shall make such information publicly available.	Where appropriate, the EU Centre shall make such information publicly available.	~~*Where appropriate,*~~ The EU Centre shall make such information publicly available***, unless this would undermine the proper functioning of this Regulation***. Text Origin: CY Acting Pcy2
Article 50(5)				
G 698	5.The EU Centre shall develop a communication strategy and promote dialogue with civil society organisations and providers of hosting or interpersonal communication services to raise public awareness of online child sexual abuse and measures to prevent and combat such abuse.	5.The EU Centre shall develop a communication strategy and promote dialogue ***and cooperation*** with civil society organisations***, hotlines, helplines, public authorities, and relevant information society*** ~~*and providers of hosting or interpersonal communication*~~ services to raise public awareness of online child sexual abuse and measures to prevent and combat such abuse. ***Communication campaigns shall be easily understandable and accessible to all children, their families and educators in formal and non-formal education in the Union, aiming to improve digital literacy and ensure a safe digital environment for children. Communication campaigns shall take into account the gender dimension of the crime and the contributions of the Victims' Rights and Survivors Consultative Forum.***	~~*5.The EU Centre shall develop a communication strategy and promote dialogue with civil society organisations and providers of hosting or interpersonal communication services to raise public awareness of online child sexual abuse and measures to prevent and combat such abuse.*~~	5.The EU Centre shall develop a communication strategy and promote dialogue ***and cooperation with relevant stakeholders*** ~~*with civil society organisations and providers of hosting or interpersonal communication services*~~ to raise public awareness of ~~*online child sexual abuse*~~ and ***promote*** measures to prevent and combat ~~*such*~~***online child sexual*** abuse. ***The communication strategy shall include campaigns targeted towards children, families and educators, aiming to improve digital literacy and a safe digital environment for children.*** Recitals: Recital should include examples of relevant stakeholders and reference to gender dimension (EP request); CNS to send. Text Origin: CY Acting Pcy2
Article 50(5a)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
698a		***5a. The EU Centre shall support the development of technologies to detect the dissemination of online child sexual material, having regard to the requirements of this Regulation and in particular those under Article 10(3), and make them, free and open source, available for relevant information society services. The EU Centre shall make publicly available the relevant information related to the support it provides, including the names of the manufacturers of the technologies.***		ITM 13.02: ON HOLD (technologies/detection orders) (Text must cover content of line 691a, which was deleted).
Section 3				
699	Section 3 Processing of information	Section 3 Processing of information	Section 3 Processing of information	Section 3 Processing of information Text Origin: Commission Proposal
Article 51				
700	Article 51 Processing activities and data protection	Article 51 Processing activities and data protection	Article 51 Processing activities and data protection	Article 51 Processing activities and data protection Text Origin: Commission Proposal
Article 51(1)				
701	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data.	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data.	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data.	1.In so far as is necessary for the performance of its tasks under this Regulation, the EU Centre may process personal data. Text Origin: Commission

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 51(2)				
702	2.The EU Centre shall process personal data as strictly necessary for the purposes of:	2.The EU Centre shall process personal data as strictly necessary for the purposes of:	2.The EU Centre shall process personal data as strictly necessary for the purposes of:	2.The EU Centre shall process personal data as strictly necessary for the purposes of: Text Origin: Commission Proposal
Article 51(2), point (a)				
703	(a) providing the opinions on intended detection orders referred to in Article 7(3);	(a) providing the opinions on intended detection orders referred to in Article 7(3);	~~(a) providing the opinions on intended detection orders referred to in Article 7(3);~~	ITM 13.02: ON HOLD Linked to voluntary detection/detection orders
Article 51(2), point (b)				
704	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2);	(b) cooperating with and responding to requests of Coordinating Authorities in connection to intended blocking orders as referred to in Article 16(2); Text Origin: Commission Proposal
Article 51(2), point (c)				
705	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3);	(c) receiving and processing blocking orders transmitted to it pursuant to Article 17(3); Text Origin: Commission Proposal
Article 51(2), point (d)				
706	(d) cooperating with Coordinating Authorities in accordance with	(d) cooperating with Coordinating Authorities in accordance with	(d) cooperating with Coordinating Authorities in accordance with	(d) cooperating with Coordinating Authorities in accordance with

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Articles 20 and 21 on tasks related to victims' rights to information and assistance;	Articles 20 and 21 on tasks related to victims' rights to information and assistance;	Articles 20 and 21 on tasks related to victims' rights to information and assistance;	Articles 20 and 21 on tasks related to victims' rights to information and assistance; Text Origin: Commission Proposal
Article 51(2), point (e)				
G 707	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6);	(e) maintaining up-to-date records of contact points and legal representatives of providers of relevant information society services as provided in accordance with Article 23(2) and Article 24(6); Text Origin: Commission Proposal
Article 51(2), point (f)				
G 708	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6);	(f) creating and maintaining an online register listing the Coordinating Authorities and their contact points referred to in Article 25(6); Text Origin: Commission Proposal
Article 51(2), point (g)				
G 709	(g) providing assistance to Coordinating Authorities in accordance with Article 25(7);	(g) providing assistance to Coordinating Authorities in accordance with Article 25(7);	(g) providing assistance to Coordinating Authorities in accordance with Article 25(7);	(g) providing assistance to Coordinating Authorities ***and other competent authorities*** in accordance with Article 25(7); Text Origin: Commission Proposal
Article 51(2), point (h)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
710	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37;	(h) assisting the Commission, upon its request, in connection to its tasks under the cooperation mechanism referred to in Article 37; Text Origin: Commission Proposal
Article 51(2), point (i)				
711	(i) create, maintain and operate the databases of indicators referred to in Article 44;	(i) create, maintain and operate the databases of indicators referred to in Article 44;	(i) create, maintain and operate the databases of indicators referred to in Article 44;	(i) create, maintain and operate the databases of indicators referred to in Article 44; Text Origin: Commission Proposal
Article 51(2), point (j)				
712	(j) create, maintain and operate the database of reports referred to in Article 45;	(j) create, maintain and operate the database of reports referred to in Article 45;	(j) create, maintain and operate the database of reports referred to in Article 45;	(j) create, maintain and operate the database of reports referred to in Article 45; Text Origin: Commission Proposal
Article 51(2), point (k)				
713	(k) providing and monitoring access to the databases of indicators and of reports in accordance with Article 46;	(k) providing and monitoring access to the databases of indicators and of reports in accordance with Article 46;	(k) providing and monitoring access to the databases of indicators and of reports in accordance with Article 46;	(k) providing and monitoring access to the databases of indicators and of reports in accordance with Article 46; Text Origin: Commission Proposal
Article 51(2), point (l)				
714	(l) performing data quality control measures in accordance with Article 46(7);	(l) performing data quality control measures in accordance with Article 46(7);	(l) performing data quality control measures in accordance with Article 46(7);	(l) performing data quality control measures in accordance with Article 46(7); Text Origin: Commission

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 51(2), point (m)				
715	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48;	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48;	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48;	(m) assessing and processing reports of potential online child sexual abuse in accordance with Article 48; Text Origin: Commission Proposal
Article 51(2), point (n)				
716	(n) cooperating with Europol and partner organisations in accordance with Articles 53 and 54, including on tasks related to the identification of victims;	(n) cooperating with Europol and partner organisations in accordance with Articles 53 and 54, including on tasks related to the identification of victims;	(n) cooperating with Europol***, other Union agencies and bodies,*** ~~and~~ partner ***organisations, third countries and international*** organisations in accordance with Articles 53***, 53a, 54 and 54a*** ~~and 54~~, including on tasks related to the identification of victims;	(n) cooperating with Europol***, other Union agencies and bodies,*** ~~and~~ partner ***organisations, third countries and international*** organisations in accordance with Articles 53***, 53a, 54 and 54a*** ~~and 54~~, including on tasks related to the identification of victims; Text Origin: CY Acting Pcy2
Article 51(2), point (o)				
717	(o) generating statistics in accordance with Article 83.	(o) generating statistics in accordance with Article 83.	(o) generating statistics in accordance with Article 83.	(o) generating statistics in accordance with Article 83. Text Origin: Commission Proposal
Article 51(3)				
718	3.The EU Centre shall store the personal data referred to in paragraph 2 only where and for as long as strictly necessary for the applicable purposes listed in paragraph 2.	3.The EU Centre shall store the personal data referred to in paragraph 2 only where and for as long as strictly necessary for the applicable purposes listed in paragraph 2.	3.The EU Centre shall store the personal data referred to in paragraph 2 only where and for as long as strictly necessary for the applicable purposes listed in paragraph 2.	3.The EU Centre shall store the personal data referred to in paragraph 2 only where and for as long as strictly necessary for the applicable purposes listed in paragraph 2. Text Origin: Commission

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 51(4)				
719	4.It shall ensure that the personal data is stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary.	4.It shall ensure that the personal data is stored in a secure manner and that the storage is subject to ~~appropriate~~***highest state of the art,*** technical and organisational safeguards. ***Security requirements for data security pursuant to Article 88 of Regulation (EU) 2018/1725, Article 32 of Regulation (EU) 767/2008, Article 16 of Regulation (EU) 1987/2006, Article 16 of Regulation (EU) 2018/1862 and Article 34 of Regulation (EU) 603/2013 shall apply accordingly***. Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary.	4.It shall ensure that the personal data is stored in a secure manner and that the storage is subject to appropriate technical and organisational safeguards. Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary.	4.It shall ensure that the personal data is stored in a secure manner and that the storage is subject to ~~appropriate~~***the state of the art*** technical and organisational safeguards. Those safeguards shall ensure, in particular, that the personal data can be accessed and processed only for the purpose for which it is stored, that a high level of security is achieved and that the personal data is deleted when no longer strictly necessary for the applicable purposes. It shall regularly review those safeguards and adjust them where necessary. Text Origin: EP Mandate
Article 51(a)				
719a		***Article 51a*** ***Logging***		ITM 13.02: ON HOLD (Logging, linked to detection orders)
Article 51(a) first paragraph				
719b		***1.The EU Centre shall provide for***		

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		logs to be kept for at least the following processing operations, in relation to tasks performed under this Regulation: collection, alteration, consultation, disclosure including transfers, combination and erasure.		ITM 13.02: ON HOLD (Logging, linked to detection orders)
Article 51(a) second paragraph				
719c		***2. The logs of consultation and disclosure shall make possible to establish the justification, date and time of such operations and, as far as possible, the identification of the person who consulted or disclosed the data, and the identity of the recipients of such data.***		ITM 13.02: ON HOLD (Logging, linked to detection orders)
Article 51(a) third paragraph				
719d		***3. The logs shall be used solely for verification of the lawfulness of processing, self-monitoring, ensuring the integrity and security of the personal data.***		ITM 13.02: ON HOLD (Logging, linked to detection orders)
Article 51(a) fourth paragraph				
719e		***4. The EU Centre shall make the logs available to the relevant data protection supervisory authority on request.***		ITM 13.02: ON HOLD (Logging, linked to detection orders)
Section 4				
720	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation	Section 4 Cooperation Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 52				
721	Article 52 Contact officers	Article 52 Contact officers	Article 52 Contact officers	Article 52 Contact officers Text Origin: Commission Proposal
Article 52(1)				
722	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer.	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer.	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer.	1.Each Coordinating Authority shall designate at least one contact officer, who shall be the main contact point for the EU Centre in the Member State concerned. The contact officers may be seconded to the EU Centre. Where several contact officers are designated, the Coordinating Authority shall designate one of them as the main contact officer. Text Origin: Commission Proposal
Article 52(2)				
723	2.Contact officers shall assist in the exchange of information between the EU Centre and the Coordinating Authorities that designated them. Where the EU Centre receives reports submitted in accordance with Article 12 concerning the potential dissemination of new child sexual abuse material or the potential solicitation of children, the contact officers designated by the competent Member State shall facilitate the process to determine the illegality of the material or conversation, in	2.Contact officers shall assist in the exchange of information between the EU Centre and the Coordinating Authorities that designated them. Where the EU Centre receives reports submitted in accordance with Article 12 concerning the potential dissemination of new child sexual abuse material or the potential solicitation of children, the contact officers designated by the competent Member State shall facilitate the process to determine the illegality of the material or conversation, in	2.Contact officers shall assist in the exchange of information between the EU Centre and the Coordinating Authorities that designated them. Where the EU Centre receives reports submitted in accordance with Article 12 concerning the potential dissemination of new child sexual abuse material or the potential solicitation of children, the contact officers designated by the competent Member State shall facilitate the process to determine the illegality of the material or conversation, in	2.Contact officers shall assist in the exchange of information between the EU Centre and the Coordinating Authorities that designated them. Where the EU Centre receives reports submitted in accordance with Article 12 concerning the potential dissemination of new child sexual abuse material or the potential solicitation of children, the contact officers designated by the competent Member State shall facilitate the process to determine the illegality of the material or conversation, in

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	accordance with Article 36(1).	accordance with Article 36(1).	accordance with Article 36(1).	accordance with Article 36(1). Text Origin: Commission Proposal
Article 52(3)				
724	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks.	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks.	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks.	3.The Management Board shall determine the rights and obligations of contact officers in relation to the EU Centre. Contact officers shall enjoy the privileges and immunities necessary for the performance of their tasks. Text Origin: Commission Proposal
Article 52(4)				
725	4.Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them.	4.~~*Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other*~~ Costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them. ***Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of office space in the building and adequate equipment for them to perform their duties.***	4.Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them.	4.~~*Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of providing them with the necessary premises within the building and adequate support for contact officers to perform their duties. All other*~~ Costs that arise in connection with the designation of contact officers and the performance of their tasks shall be borne by the Coordinating Authority that designated them. ***Where contact officers are seconded to the EU Centre, the EU Centre shall cover the costs of office space in the building and adequate equipment for them to perform their duties.***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: EP Mandate
Article 53				
726	Article 53 Cooperation with Europol	Article 53 Cooperation with Europol	Article 53 Cooperation with Europol	Article 53 Cooperation with Europol Text Origin: Commission Proposal
Article 53(1)				
727	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol.	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol.	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol.	1.Where necessary for the performance of its tasks under this Regulation, within their respective mandates, the EU Centre shall cooperate with Europol. Text Origin: Commission Proposal
Article 53(2), first subparagraph				
728	2.Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.	2.Europol ~~and~~***shall provide*** the EU Centre ~~shall provide each other with the fullest possible~~***with*** access to relevant information and information systems, where ***deemed strictly*** necessary for the performance of ~~their respective~~***the EU Centre's*** tasks and in accordance with the acts of Union law regulating ~~such~~***that. Any*** access ***to personal data processed in Europol's information systems shall be granted only on a case-by-case basis, upon submission of an explicit and justified request, which documents the specific purpose. Europol shall be required to diligently assess***	2.Europol and the EU Centre shall provide each other with the fullest possible access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access.	2.Europol and the EU Centre shall provide each other with ~~the fullest possible~~ access to relevant information and information systems, where necessary for the performance of their respective tasks and in accordance with the acts of Union law regulating such access. ***In this context, any access of personal data shall be granted in accordance with the relevant Union law and only on a case by-case basis upon submission of an explicit and justified request.*** Text Origin: EP Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		those requests and only transmit personal data to the EU Centre where strictly necessary and proportionate to the specified purpose. The EU Centre shall provide Europol with access to relevant information where deemed strictly necessary for the performance of Europol's tasks. Any access to personal data processed in the EU Centre's information systems shall be granted only on a case-by-case basis, upon submission of an explicit and justified request, which documents the specific purpose. The EU Centre shall be required to diligently assess those requests and only transmit personal data to Europol where strictly necessary and proportionate to the specified purpose. That access and subsequent transmission of personal data shall only take place via an available secure exchange communication tool, such as the Secure Information Exchange Network Application (SIENA).		
Article 53(2), second subparagraph				
G	729	Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating	*deleted*	Without prejudice to the responsibilities of the Executive Director, the EU Centre shall maximise efficiency by sharing administrative functions with Europol, including functions relating	*deleted*	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	to personnel management, information technology (IT) and budget implementation.		to personnel management, information technology (IT) and budget implementation.	
Article 53(3)				
730	*3.*The terms of cooperation and working arrangements shall be laid down in a memorandum of understanding.	3.The terms of cooperation and working arrangements shall be laid down in a ***publically accessible*** memorandum of understanding.	3.The terms of cooperation and working arrangements shall be laid down in a memorandum of understanding.	3.The terms of cooperation and working arrangements shall be laid down in a ***publicly available*** memorandum of understanding***, unless this publication would undermine the proper functioning of this Regulation***. Text Origin: EP Mandate
Article 53a				
730a			***Article 53a Cooperation with other Union agencies and bodies***	***Article 53a Cooperation with other Union agencies and bodies*** Text Origin: CY Acting Pcy2
Article 53a(1)				
730b			***1.In addition to the obligation to cooperate with Europol in accordance with Article 53, where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with other Union agencies and bodies, in particular the EU Agency for Fundamental Rights, the European Union Agency for Cybersecurity, the European Data Protection Supervisor and the European Data Protection Board in accordance with the respective mandates of the***	***1.In addition to the obligation to cooperate with Europol in accordance with Article 53, where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with other Union agencies and bodies, in particular the EU Agency for Fundamental Rights, the European Union Agency for Cybersecurity, the European Data Protection Supervisor and the European Data Protection Board in accordance with the respective mandates of the***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			EU Centre and those other Union agencies and bodies.	***EU Centre and those other Union agencies and bodies.*** Text Origin: CY Acting Pcy2
Article 53a(2)				
730c			***2.The EU Centre may conclude memoranda of understanding with Union agencies and bodies referred to in paragraph 1, laying down the terms of cooperation.***	***2.The EU Centre may conclude memoranda of understanding with Union agencies and bodies referred to in paragraph 1, laying down the terms of cooperation. These memoranda of understanding shall be made publicly available, unless this would undermine the proper functioning of this Regulation.*** Text Origin: CY Acting Pcy2
Article 54				
731	Article 54 Cooperation with partner organisations	Article 54 Cooperation with partner organisations	Article 54 Cooperation with partner organisations	Article 54 Cooperation with partner organisations Text Origin: Commission Proposal
Article 54(1)				
732	1.Where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations.	1.Where necessary for the performance of its tasks under this Regulation, the EU Centre ~~*may*~~***shall*** cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, ***and victim support,*** including civil society organisations and semi-public	1.Where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, including civil society organisations and semi-public organisations.	1.Where necessary for the performance of its tasks under this Regulation, the EU Centre may cooperate with organisations and networks with information and expertise on matters related to the prevention and combating of online child sexual abuse, ***and victim support,*** including civil society organisations and semi-public

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		organisations ***acting in the public interest, and professional organisations of practioners***.		organisations ***acting in the public interest***. Text Origin: EP Mandate
Article 54(2)				
733	2.The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation.	2.The EU Centre may conclude ***publically accessible*** memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation.	2.The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation***, including on data sharing***.	2.The EU Centre may conclude memoranda of understanding with organisations referred to in paragraph 1, laying down the terms of cooperation. ***These memoranda of understanding shall be made publicly available, unless this would undermine the proper functioning of this Regulation.*** Text Origin: Council Mandate
Article 54(2a)				
733a		***2a. The EU Centre shall cooperate with other organizations and bodies carrying out, in other jurisdictions, similar functions on matters related to the prevention and combating of online child sexual abuse and victim support, as well as in order to avoid potential duplication of reporting obligations for providers.***		*deleted*
Article 54(a)				
733b		***Article 54a Establishment of an online European Child Protection Platform***		***Article 54a Establishment of an online European Child Protection Platform*** Recital: Stress that duplication of existing structures should be avoided to

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
				the extent possible (CNS to prepare). Text Origin: CY Acting Pcy2	
Article 54(a) first paragraph					
G 733c		***1. The EU Centre shall create, maintain and operate an online platform for the presentation of information about Member States hotlines and helplines ('Child Protection Platform'). That platform may also be used for the promotion of awareness-raising and prevention campaigns. The platform shall be accessible 24 hours a day and seven days a week in all Union languages and shall be child-friendly, age-appropriate and accessible.***		***1. The EU Centre shall create, maintain and operate an online platform for the presentation of information about Member States hotlines and helplines ('Child Protection Platform'). That platform may also be used for the promotion of awareness-raising and prevention campaigns. The platform shall be accessible 24 hours a day and seven days a week in all Union languages and shall be child-friendly, age-appropriate and accessible.*** Text Origin: CY Acting Pcy2	G
Article 54(a) second paragraph					
G 733d		***2. Providers of hosting services and providers of number-independent interpersonal communications services shall, where relevant in order to fulfil their tasks as laid down in Article 4 paragraph 1 point (cc) of this Regulation, make reference to the Platform.***		***2. Providers of relevant information society services shall, where relevant in order to fulfil their tasks as laid down in Article 4 paragraph 1 point (cc) of this Regulation, make reference to the Platform.*** Text Origin: CY Acting Pcy2	G
Article 54b					
G 733e			***Article 54a Cooperation with third countries and international organisations***	***Article 54b Cooperation with third countries and international organisations***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Provisionally agreed (Trilogue 26.02) with accompanying recital. Text Origin: CY Acting Pcy2
Article 54b(1), first subparagraph				
G 733f			***1.In so far as is necessary in order to achieve the objectives set out in this Regulation, and without prejudice to the respective competences of the Member States and the institutions of the Union, the EU Centre may cooperate with the competent authorities of third countries or with international organisations.***	***1.In so far as is necessary in order to achieve the objectives set out in this Regulation, and without prejudice to the respective competences of the Member States and the institutions of the Union, the EU Centre may cooperate with the competent authorities of third countries or with international organisations.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Article 54b(1), second subparagraph				
G 733g			***To this end, the EU Centre may, subject to prior approval by the Commission, establish working arrangements with the authorities of third countries or international organisations. These arrangements shall not create legal obligations incumbent on the Union and its Member States.***	***To this end, the EU Centre shall, subject to prior approval by the Commission, establish working arrangements with the authorities of third countries or international organisations. These arrangements shall not create legal obligations incumbent on the Union and its Member States.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2
Article 54b(2), first subparagraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G 733h			***2. The EU Centre shall be open to the participation in its work of third countries that have entered into agreements with the Union to this effect.***	***2. The EU Centre shall be open to the participation in its work of third countries that have entered into agreements with the Union to this effect.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2	G
Article 54b(2), second subparagraph					
G 733i			***Under the relevant provisions of the agreements referred to in the first subparagraph, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the EU Centre, including provisions relating to participation in the initiatives undertaken by the EU Centre, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.***	***Under the relevant provisions of the agreements referred to in the first subparagraph, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the EU Centre, including provisions relating to participation in the initiatives undertaken by the EU Centre, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2	G
Article 54b(3)					
G 733j			***3. The Management Board shall adopt a strategy for relations with third countries or international organisations concerning matters for which the EU Centre is***	***3. The Management Board shall adopt a strategy for relations with third countries or international organisations concerning matters for which the EU Centre is***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			competent. The Commission shall ensure that the EU Centre operates within its mandate and the existing insitutional framework by concluding an appropriate working arrangement with the EU Centre's Executive Director.	***competent. The Commission shall ensure that the EU Centre operates within its mandate and the existing institutional framework by concluding an appropriate working arrangement with the EU Centre's Executive Director.*** Provisionally agreed (Trilogue 26.02) Text Origin: CY Acting Pcy2	
Section 5					
G 734	Section 5 Organisation	Section 5 Organisation	Section 5 Organisation	Section 5 Organisation Text Origin: Commission Proposal	G
Article 55					
G 735	Article 55 Administrative and management structure	Article 55 Administrative and management structure	Article 55 Administrative and management structure	Article 55 Administrative and management structure Text Origin: Commission Proposal	G
Article 55, first paragraph					
G 736	The administrative and management structure of the EU Centre shall comprise:	The administrative and management structure of the EU Centre shall comprise:	The administrative and management structure of the EU Centre shall comprise:	The administrative and management structure of the EU Centre shall comprise: Text Origin: Commission Proposal	G
Article 55, first paragraph, point (a)					
G 737	(a) a Management Board, which shall exercise the functions set out in Article 57;	(a) a Management Board, which shall exercise the functions set out in Article 57;	(a) a Management Board, which shall exercise the functions set out in Article 57;	(a) a Management Board, which shall exercise the functions set out in Article 57;	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 55, first paragraph, point (b)				
738	(b) an Executive Board which shall perform the tasks set out in Article 62;	(b) an Executive Board which shall perform the tasks set out in Article 62;	~~(b) an Executive Board which shall perform the tasks set out in Article 62;~~	*deleted*
Article 55, first paragraph, point (c)				
739	*(c)* an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64;	(c) an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64;	(c) an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64;	(c) an Executive Director of the EU Centre, who shall exercise the responsibilities set out in Article 64; Text Origin: Commission Proposal
Article 55, first paragraph, point (d)				
740	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66.	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66.	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66.	(d) a Technology Committee as an advisory group, which shall exercise the tasks set out in Article 66. Text Origin: Commission Proposal
Article 55, first paragraph, point (da)				
740a		***(da) a Victims' Rights and Survivors Consultative Forum which shall exercise the tasks set out in Article 66a.***		***(da) a Victims Consultative Forum which shall exercise the tasks set out in Article 66a.*** Text Origin: EP Mandate
Article 55, first paragraph, point (db)				
740b		***(db) a Fundamental Rights Officer, which shall exercise the tasks set out in Art. 66b.***		***(db) a Fundamental Rights Officer, which shall exercise the tasks set out in Art. 66b.*** Text Origin: EP Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 55, first paragraph, subparagraph 1				
740c		***When appointing the members that compose these bodies, all parties involved shall aim for an appropriate gender representation.***		***When appointing the members that compose these bodies, all parties involved shall aim for an appropriate gender representation.*** Text Origin: EP Mandate
1				
741	1 Part 1: Management Board	1 Part 1: Management Board	1 Part 1: Management Board	1 Part 1: Management Board Text Origin: Commission Proposal
Article 56				
742	Article 56 Composition of the Management Board	Article 56 Composition of the Management Board	Article 56 Composition of the Management Board	Article 56 Composition of the Management Board Text Origin: Commission Proposal
Article 56(1)				
743	1.The Management Board shall be composed of one representative from each Member State and two representatives of the Commission, all as members with voting rights.	1.The Management Board shall be composed of one representative from each Member State ~~*and two*~~***, one*** representatives of the Commission, ***one independent representative designated by the European Parliament,*** all as members with voting rights.	1.The Management Board shall be composed of one representative from each Member State and ~~*two representatives*~~***one representative*** of the Commission, all as members with voting rights.	1.The Management Board shall be composed of one representative from each Member State and ~~*two representatives*~~***one representative*** of the Commission, all ~~*as members with*~~***of whom shall be*** voting ~~*rights*~~***members***. Text Origin: Council Mandate
Article 56(2), first subparagraph				
744	2.The Management Board shall also include one independent expert observer designated by the European Parliament, without the right to vote.	2.~~*The Management Board shall also include one independent expert observer designated by the European Parliament, without the*~~	2.The Management Board shall also include one independent expert observer designated by the European Parliament, without the right to vote.	2.The Management Board shall also include one independent expert observer designated by the European Parliament, ~~*without the right to*~~

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		~~*right to vote.*~~***deleted***		~~*vote*~~***who shall be a non-voting member***. Text Origin: Commission Proposal
Article 56(2), first subparagraph a				
744a		***One member of the Victims' Rights and Survivors Consultative Forum as established in Art. 66a shall attend the meetings of the Management Board as an observer, without the right to vote.*** ***The Technological Committee shall designate a representative to attend the meetings of the Management Board as an observer on matters related to technologies.***		*deleted* Text Origin: EP Mandate
Article 56(2), second subparagraph				
745	Europol may designate a representative to attend the meetings of the Management Board as an observer on matters involving Europol, at the request of the Chairperson of the Management Board.	Europol may designate a representative to attend the meetings of the Management Board as an observer on matters involving Europol, at the request of the Chairperson of the Management Board.	Europol may designate a representative to attend the meetings of the Management Board as an observer on matters involving Europol, ***without the right to vote,*** at the request of the Chairperson of the Management Board.	*deleted* Text Origin: Council Mandate
Article 56(3)				
746	*3.*Each member of the Management Board shall have an alternate. The alternate shall represent the member in his/her absence.	3.Each member of the Management Board shall have an alternate. The alternate shall represent the member in ~~*his/her*~~***their*** absence.	3.Each member of the Management Board shall have an alternate. The alternate shall represent the member in his/her absence.	3.~~*Each member*~~***Members*** of the Management Board shall have an alternate. ~~*The alternate*~~***Alternates*** shall represent the ~~*member in his/her*~~***members in their*** absence. Text Origin: EP Mandate

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 56(4)				
747	4.Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of combating child sexual abuse, taking into account relevant managerial, administrative and budgetary skills. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.	4.Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of ***preventing and*** combating child sexual abuse ***and victim support***, taking into account ~~*relevant managerial, administrative and budgetary skills*~~***their expertise and professional records***. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. All parties shall ~~*aim to achieve a balanced representation*~~***ensure that gender balance*** between men and women ***is achieved*** on the Management Board.	4.Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of combating child sexual abuse, taking into account relevant managerial, administrative and budgetary ~~*skills*~~ ***competencies***. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.	4.Members of the Management Board and their alternates shall be appointed in the light of their knowledge ***either*** in the field of ***preventing and*** combating child sexual abuse ***or in victim support***, taking into account relevant managerial, administrative and budgetary ~~*skills*~~***competencies, and their expertise and professional records***. Member States shall appoint a representative of their Coordinating Authority, within four months of [date of entry into force of this Regulation]. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of its work. ~~*All parties shall aim to achieve a balanced representation between men and women on the Management Board.*~~ Text Origin: CY Acting Pcy2
Article 56(5)				
748	5.The term of office for members and their alternates shall be four years. That term may be renewed.	5. The term of office for members and their alternates shall be four years. That term may be renewed ***only once***.	5.The term of office for members and their alternates shall be four years. That term may be renewed.	5. The term of office for members and their alternates shall be four years. That term may be renewed ***only once***. Text Origin: EP Mandate
Article 57				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
749	Article 57 Functions of the Management Board	Article 57 ~~*Functions*~~***Tasks*** of the Management Board	Article 57 Functions of the Management Board	Article 57 ~~*Functions*~~***Tasks*** of the Management Board Text Origin: EP Mandate
Article 57(1)				
750	1.The Management Board shall:	1.The Management Board shall:	1.The Management Board shall:	1.The Management Board shall: Text Origin: Commission Proposal
Article 57(1), point (a)				
751	(a) give the general orientations for the EU Centre's activities;	*deleted*	*(a)* give the general orientations for the EU Centre's activities;	(a) give the general orientations for the EU Centre's activities; Text Origin: Council Mandate
Article 57(1), point (aa)				
751a			***(aa) be responsible for the overall planning and the execution of the tasks conferred on the EU Centre pursuant to Article 43, and it shall adopt all the decisions of the EU Centre;***	***(aa) be responsible for the overall planning and the execution of the tasks conferred on the EU Centre pursuant to this Regulation, and it shall adopt all the decisions of the EU Centre;*** Text Origin: Council Mandate
Article 57(1), point (ab)				
751b		***(aa) adopt the draft Single Programming Document referred to in Article 66d before its submission to the Commission for its opinion;***		***(ab) adopt the draft Single Programming Document in accordance with Article 66c and shall transmit it for information to the European Parliament, the Council and the Commission by 31 January the following year, as well as adopt and transmit any other updated version of the document;***

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Article 57(1), point (ac)				
751c		***(ab) adopt, having requested the opinion of the Commission and the European Parliament, the Agency's Single Programming Document by a majority of two-thirds of the members entitled to vote in accordance with Article 56 for the following year, as well as any other updated version of the document;***		*deleted* *Text Origin: EP Mandate*
Article 57(1), point (ad)				
751d		***(ac) adopt by a majority of two-thirds of the members entitled to vote, the annual budget of the EU Centre and exercise other tasks in respect of the EU Centre's budget;***		***(ad) adopt the draft annual budget of the EU Centre and exercise other functions in respect of the EU Centre's budget;***
Article 57(1), point (ae)				
751e		***(ad) assess and adopt, by a majority of two-thirds of the members entitled to vote, a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and send it, by 1 July each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make the consolidated annual activity report public;***		***(ae) assess and adopt a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and transmit it, by 1 July of each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make it public;***
Article 57(1), point (af)				
751f		***(ae) adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits***		***(af) adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		of the measures to be implemented, an efficiency gains and synergies strategy with other Union decentralised agencies and bodies, a strategy for cooperation with third countries and/or international organisations, and a strategy for the organisational management and internal control systems;		***of the measures to be implemented;***
Article 57(1), point (ag)				
751g		***(af) exercise, with respect to the staff of the EU Centre, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the Authority Empowered to Conclude a Contract of Employment [1a] ("the appointing authority powers");*** ***1a. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)***		***(ag) exercise, with respect to the staff of the EU Centre, the appointing authority powers;***
Article 57(1), point (ah)				
751h		***(ag) adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other***		***(ah) adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Servants in accordance with Article 110(2) of the Staff Regulations;		***Servants in accordance with Article 110(2) of the Staff Regulations;***
Article 57(1), point (ai)				
751i		***(ah) appoint the Executive Director and remove him/her from office, in accordance with Article 65;***		***(ai) appoint the Executive Director and remove him/her from office, in accordance with Article 65;***
Article 57(1), point (aj)				
751j		***(ai) appoint an Accounting Officer, who may be the Commission's Accounting Officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally independent in the performance of his/her the Officer's duties;***		***(aj) appoint an Accounting Officer, who may be the Commission's Accounting Officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally independent in the performance of his/her duties;***
Article 57(1), point (ak)				
751k		***(aj) adopt the financial rules applicable to the EU Centre;***		***(ak) adopt the financial rules applicable to the EU Centre;***
Article 57(1), point (al)				
751l		***(ak) take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification;***		***(al) take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification;***
Article 57(1), point (am)				
751m		***(al) appoint a Data Protection Officer in accordance with Regulation (EU) 2018/1725;***		***(am) appoint a Data Protection Officer;***
Article 57(1), point (an)				
751n		***(am) adopt internal guidelines***		***(an) adopt internal guidelines***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		further specifying the procedures for the processing of information in accordance with Article 51;		***further specifying the procedures for the processing of personal data in accordance with Article 51, after consulting the European Data Protection Supervisor;***
Article 57(1), point (b)				
752	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities;	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities;	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities;	(b) contribute to facilitate the effective cooperation with and between the Coordinating Authorities; Text Origin: Commission Proposal
Article 57(1), point (c)				
753	(c) adopt rules for the prevention and management of conflicts of interest in respect of its members, as well as for the members of the Technological Committee and of any other advisory group it may establish and publish annually on its website the declaration of interests of the members of the Management Board;	(c) adopt rules for the prevention and management of conflicts of interest in respect of its members, as well as for the members of the Technological Committee***, the Victims' Rights and Survivors Consultative Forum*** and of any other advisory group it may establish and publish annually on its website the declaration of interests of the members of the Management Board;	(c) adopt rules for the prevention and management of conflicts of interest in respect of its members, as well as for the members of the Technological Committee and of any other advisory group it may establish and publish annually on its website the declaration of interests of the members of the Management Board;	(c) adopt rules for the prevention and management of conflicts of interest in respect of its members, as well as for the members of the ~~*Technological*~~***Technology*** Committee***, the Victims Consultative Forum*** and of any other advisory group it may establish and publish annually on its website the declaration of interests of the members of the Management Board; Text Origin: EP Mandate
Article 57(1), point (d)				
754	(d) adopt the assessment of performance of the Executive Board referred to in Article 61(2);	*deleted*	~~*(d) adopt the assessment of performance of the Executive Board referred to in Article 61(2);*~~	*deleted*
Article 57(1), point (e)				
755	*(e)* adopt and make public its Rules	(e) adopt and make public its Rules	(e) adopt and make public its Rules	(e) adopt and make public its Rules

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	of Procedure;	of Procedure;	of Procedure;	of Procedure; Text Origin: Commission Proposal
Article 57(1), point (f)				
756	(f) appoint the members of the Technology Committee, and of any other advisory group it may establish;	(f) appoint the members of the Technology Committee, ***of the Victims' Consultative Forum*** and of any other advisory group it may establish;	(f) appoint the members of the Technology Committee, and of any other advisory group it may establish;	(f) appoint the members of the Technology Committee, ***of the Victims Consultative Forum*** and of any other advisory group it may establish; Text Origin: EP Mandate
Article 57(1), point (fa)				
756a			***(fa) consult the Victims Board in all cases where, in the performance of its tasks pursuant to points (a) and (h), interests of victims are concerned;***	***(fa) consult the Victims Consultative Forum with regards to the obligations referred to in points (aa) and (h) of this Article.***
Article 57(1), point (fb)				
756b		***(fa) designate the Fundamental Rights Officer referred to in Article 66b;***		***(fb) designate the Fundamental Rights Officer referred to in Article 66b;*** Text Origin: EP Mandate
Article 57(1), point (g)				
757	(g) adopt the opinions on intended detection orders referred to in Article 7(4), on the basis of a draft opinion provided by the Executive Director;	(g) adopt the opinions on intended detection orders referred to in Article 7(4), on the basis of a draft opinion provided by the Executive Director;	~~*(g) adopt the opinions on intended detection orders referred to in Article 7(4), on the basis of a draft opinion provided by the Executive Director;*~~	ITM 23.01: ON HOLD Linked to voluntary detection/detection orders
Article 57(1), point (h)				
758	(h) adopt and regularly update the	(h) adopt and regularly update the	(h) adopt and regularly update the	(h) adopt and regularly update the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	communication and dissemination plans referred to in Article 77(3) based on an analysis of needs.	communication and dissemination plans referred to in Article 77(3) based on an analysis of needs.	communication and dissemination plans referred to in Article 77(3) based on an analysis of needs-;**	communication and dissemination plans referred to in Article 77(3) based on an analysis of needs-;** Text Origin: Council Mandate
Article 57(1), point (ha)				
G 758a			***(ha) adopt, by 30 November of each year, the draft Single Programming Document, and shall transmit it for information to the European Parliament, the Council and the Commission by 31 January the following year, as well as any other updated version of the document;***	*deleted*
Article 57(1), point (hb)				
G *758b*		***(ha) consult the Victims' Rights and Survivors Consultative Forum as regards the obligations referred to in points (aa) and (h) of this Article.***		*deleted*
Article 57(1), point (hc)				
G *758c*			***(hb) adopt the draft annual budget of the EU Centre and exercise other functions in respect of the EU Centre's budget;***	*deleted*
Article 57(1), point (hd)				
G *758d*		***(hb) authorise the conclusion of memoranda of understanding referred to in Article 53(3) and Article 54(2).***		***(hd) authorise the conclusion of memoranda of understanding referred to in Articles 53(3), 53a(2) and 54(2);***
Article 57(1), point (he)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 758e			***(hc) assess and adopt a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and send it, by 1 July of each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make the consolidated annual activity report public;***	*deleted* G
Article 57(1), point (hf)				
G *758f*			***(hd) adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations, and a strategy for the organisational management and internal control systems;***	*deleted* G
Article 57(1), point (hg)				
G *758g*			***(he) With respect to the powers referred to in paragraph 2, 1 points (af) and (ag) of this Article, the Management Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive***	***(hg) With respect to the powers mentioned in paragraph 2 point (m) and (n), the Management Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive*** G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Director. The Executive Director shall be authorised to sub-delegate those powers.	***Director shall be authorised to sub-delegate those powers.***
Article 57(1), point (hh)				
G 758h				***(hh) In exceptional circumstances, the Management Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director;*** G
Article 57(1), point (hi)				
G 758i			***(hf) exercise, with respect to the staff of the EU Centre, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the EU Centre Empowered to Conclude a Contract of Employment[1] ("the appointing authority powers");*** ***1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)***	*deleted* G
Article 57(1), point (hj)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G	*758j*		***(hg) adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110(2) of the Staff Regulations;***	*deleted*
	Article 57(1), point (hk)			
G	*758k*		***(hh) appoint the Executive Director and remove him/her from office, in accordance with Article 65;***	*deleted*
	Article 57(1), point (hl)			
G	*758l*		***(hi)appoint an Accounting Officer, who may be the Commission's Accounting Officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally independent in the performance of his/her duties;***	*deleted*
	Article 57(1), point (hm)			
G	*758m*		***(hj)ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF);***	***(hm) ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF) and from the European Public Prosecutor's Office (EPPO);*** Text Origin: CY Acting Pcy2
	Article 57(1a)			

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 758n				***1a. The Management Board may establish an Executive Board composed of [up to four/five] representatives of the Management Board, including its chairperson, and a representative of the Commission, to assist it and the Executive Director with regard to:*** ***(a) ensuring adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from OLAF investigations;*** ***(b) deciding on matters provided for in the financial rules adopted pursuant to Article 68 that are not reserved to the Management Board by this Regulation;*** ***(c) monitoring and supervising the implementation of the decisions of the Management Board, with a view to reinforcing supervision of administrative and budgetary management; and*** ***(d) taking certain provisional decisions on administrative matters, including the suspension of the delegation of the appointing authority powers and budgetary matters on behalf of the Management Board, when necessary because of urgency.*** ***If established, the Executive Board*** G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				shall adopt (a) rules for the prevention and management of conflicts of interest in respect of its members, and (b) its rules of procedure. The Executive Board shall take decisions by absolute majority of its members.
Article 57(1a), point (a)				
G 758o			***(hk) adopt the financial rules applicable to the EU Centre;***	*deleted*
Article 57(1a), point (b)				
G *758p*			***(hl)take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification;***	*deleted*
Article 57(1a), point (c)				
G *758q*			***(hm) appoint a Data Protection Officer;***	*deleted*
Article 57(1a), point (d)				
G *758r*			***(hn) adopt internal guidelines further specifying the procedures for the processing of information in accordance with Article 51, after consulting the European Data Protection Supervisor;***	*deleted*
Article 57(1a), point (e)				
G *758s*			***(ho) authorise the conclusion of memoranda of understanding referred to in Articles 53(3), 53a(2)***	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			and 54(2);	
Article 57(1a), point (f)				
758t			***(hp) authorise the conclusion of working arrangements referred to in Article 54a.***	*deleted*
Article 57(1b)				
758u			***1a. With respect to the powers mentioned in paragraph 2 point (m) and (n), the Management Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to sub-delegate those powers.***	*deleted*
Article 57(1c)				
758v			***1b. In exceptional circumstances, the Management Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.***	*deleted*
Article 57(1d)				
758w		***1a. With respect to the powers***		

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		referred to in paragraph 2, 1 points (af) and (ag) of this Article, the Management Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to subdelegate those powers.		*deleted*
Article 57(1e)				
G *758x*		***1b. In exceptional circumstances, the Management Board may decide to temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.***		*deleted* G
Article 58				
G *759*	Article 58 Chairperson of the Management Board	Article 58 Chairperson of the Management Board	Article 58 Chairperson of the Management Board	Article 58 Chairperson of the Management Board ITM 15.01 (Arts. 40 to 57) Text Origin: Commission Proposal G
Article 58(1), first subparagraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
760	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board.	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board.	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board.	1.The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board. Text Origin: Commission Proposal
Article 58(1), second subparagraph				
761	The Deputy Chairperson shall automatically replace the Chairperson if he/she is prevented from attending to his/her duties.	The Deputy Chairperson shall automatically replace the Chairperson ~~*if he/she is prevented from attending to his/her duties*~~***when necessary***.	The Deputy Chairperson shall automatically replace the Chairperson if he/she is prevented from attending to his/her duties.	The Deputy Chairperson shall automatically replace the Chairperson ~~*if he/she is prevented from attending to his/her duties*~~***in his/her absence***. Text Origin: Commission Proposal
Article 58(2)				
762	2.The term of office of the Chairperson and the deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.	2.The term of office of the Chairperson and the deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.	2.The term of office of the Chairperson and the Deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.	2.The term of office of the Chairperson and the deputy Chairperson shall be four years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date. Text Origin: Commission Proposal
Article 58(2a)				
762a			***2a. The detailed procedure for the***	***2a. The detailed procedure for the***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			election of the Chairperson and the Deputy Chairperson shall be set out in the rules of procedure of the Management Board.	***election of the Chairperson and the Deputy Chairperson shall be set out in the rules of procedure of the Management Board.*** Text Origin: Council Mandate
Article 59				
763	Article 59 Meetings of the Management Board	Article 59 Meetings of the Management Board	Article 59 Meetings of the Management Board	Article 59 Meetings of the Management Board Text Origin: Commission Proposal
Article 59(1)				
764	1.The Chairperson shall convene the meetings of the Management Board.	1.The Chairperson shall convene the meetings of the Management Board.	1.The Chairperson shall convene the meetings of the Management Board.	1.The Chairperson shall convene the meetings of the Management Board. Text Origin: Commission Proposal
Article 59(2)				
765	2.The Executive Director shall take part in the deliberations, without the right to vote.	2.The Executive Director shall take part in the deliberations, without the right to vote.	2.The Executive Director shall take part in the deliberations, without the right to vote.	2.The Executive Director shall take part in the deliberations, without the right to vote. Text Origin: Commission Proposal
Article 59(3)				
766	3.The Management Board shall hold at least two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.	3.The Management Board shall hold at least two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.	3.The Management Board shall hold at least two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.	3.The Management Board shall hold at least two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 59(4)				
767	4.The Management Board may invite any person whose opinion may be of interest to attend its meetings as an observer.	4.The Management Board may invite any person whose opinion may be of interest to attend its meetings as an observer ***on matters related to a specific item on the Management Board's agenda***.	4.The Management Board may invite any person whose opinion may be of interest to attend its meetings as an observer, ***including representatives of the Victims Board***.	4.The Management Board may invite any person whose opinion may be ~~*of interest*~~***relevant for the discussion*** to attend its ~~*meetings as an*~~***meeting as a non-voting*** observer ***on matters related to a specific item on the Management Board's agenda, including Europol***. ***The Management Board shall invite the Technology Committee and the Victims Consultative Forum as observers to meetings on matters concerning these bodies' tasks under this Regulation.*** Text Origin: EP Mandate
Article 59(5)				
768	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts.	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts.	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts***, including representatives of the Victims Board***.	5.The members of the Management Board and their alternates may, subject to its rules of procedure, be assisted at the meetings by advisers or experts. Text Origin: EP Mandate
Article 59(6)				
769	6.The EU Centre shall provide the secretariat for the Management Board.	6.The EU Centre shall provide the secretariat for the Management Board.	6.The EU Centre shall provide the secretariat for the Management Board.	6.The EU Centre shall provide the secretariat for the Management Board. Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 60				
770	Article 60 Voting rules of the Management Board	Article 60 Voting rules of the Management Board	Article 60 Voting rules of the Management Board	Article 60 Voting rules of the Management Board Text Origin: Commission Proposal
Article 60(1)				
771	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members.	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members.	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members ***with voting rights***.	1.Unless provided otherwise in this Regulation, the Management Board shall take decisions by absolute majority of its members ***with voting rights***. Text Origin: Council Mandate
Article 60(2)				
772	2.Each member shall have one vote. In the absence of a member, his/her alternate shall be entitled to exercise his/her right to vote.	2.Each member***, including the Chairperson and the Deputy Chairperson,*** shall have one vote. In the absence of a member, ~~his/her~~***the*** alternate ***member*** shall be entitled to exercise ~~his/her~~***the*** right to vote.	2.Each member shall have one vote. In the absence of a member ***with the right to vote***, his/her alternate shall be entitled to exercise his/her right to vote.	2.Each member***, including the Chairperson and the Deputy Chairperson,*** shall have one vote. In the absence of a member ***with the right to vote***, his/her alternate shall be entitled to exercise his/her right to vote. Text Origin: Council Mandate
Article 60(3)				
773	3.The Executive Director shall not take part in the voting.	3.The Executive Director shall not take part in the voting.	3.The Executive Director shall not take part in the voting.	3.The Executive Director shall not take part in the voting. Text Origin: Commission Proposal
Article 60(4)				
774	4.The Management Board's rules of procedure shall establish more	4.The Management Board's rules of procedure shall establish more	4.The Management Board's rules of procedure shall establish more	4.The Management Board's rules of procedure shall establish more

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.	detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member. Text Origin: Commission Proposal
2				
775	2 Part 2: Executive Board	2 Part 2: Executive Board		*deleted*
Article 61				
776	Article 61 Composition and appointment of the Executive Board	Article 61 Composition and appointment of the Executive Board	*deleted*	*deleted*
Article 61(1), first subparagraph				
777	*1.*The Executive Board shall be composed of the Chairperson and the Deputy Chairperson of the Management Board, two other members appointed by the Management Board from among its members with the right to vote and two representatives of the Commission to the Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board.	1.The Executive Board shall be ***gender-balanced and*** composed of the Chairperson and the Deputy Chairperson of the Management Board, ~~*two*~~***three*** other members appointed by the Management Board from among its members with the right to vote ~~*and*~~, two representatives of the Commission ***and the independent representative of the European Parliament*** to the Management Board. The Chairperson of the Management Board shall also be the Chairperson of the Executive Board. ***All parties shall ensure that gender balance between men and women is***	*deleted*	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		achieved on the Executive Board.		
Article 61(1), second subparagraph				
778	The Executive Director shall participate in meetings of the Executive Board without the right to vote.	The Executive Director shall participate in meetings of the Executive Board without the right to vote. ***The Executive Board may invite other observers to attend its meetings.***	*deleted*	*deleted*
Article 61(2)				
779	*2.*The term of office of members of the Executive Board shall be four years. In the course of the 12 months preceding the end of the four-year term of office of the Chairperson and five members of the Executive Board, the Management Board or a smaller committee selected among Management Board members including a Commission representative shall carry out an assessment of performance of the Executive Board. The assessment shall take into account an evaluation of the Executive Board members' performance and the EU Centre's future tasks and challenges. Based on the assessment, the Management Board may extend their term of office once.	2.The term of office of members of the Executive Board shall be four years. ~~*In the course of the 12 months preceding the end of the four-year term of office of the Chairperson and five members of the Executive Board, the Management Board or a smaller committee selected among Management Board members including a Commission representative shall carry out an assessment of performance of the Executive Board. The assessment shall take into account an evaluation of the Executive Board members' performance and the EU Centre's future tasks and challenges. Based on the assessment, the Management Board may extend their term of office once.*~~	*deleted*	*deleted*
Article 62				
780	Article 62 Tasks of the Executive Board	Article 62 Tasks of the Executive Board	*deleted*	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 62(1)				
781	*1.*The Executive Board shall be responsible for the overall planning and the execution of the tasks conferred on the EU Centre pursuant to Article 43. The Executive Board shall adopt all the decisions of the EU Centre with the exception of the decisions that shall be taken by the Management Board in accordance with Article 57.	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2)				
782	*2.*In addition, the Executive Board shall have the following tasks:	2.~~*In addition,*~~ The Executive Board shall have the following tasks:	*deleted*	*deleted*
Article 62(2), point (a)				
783	*(a)* adopt, by 30 November of each year, on the basis of a proposal by the Executive Director, the draft Single Programming Document, and shall transmit it for information to the European Parliament, the Council and the Commission by 31 January the following year, as well as any other updated version of the document;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (b)				
784	*(b)* adopt the draft annual budget of the EU Centre and exercise other functions in respect of the EU Centre's budget;	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (c)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G	*785*	*(c)* assess and adopt a consolidated annual activity report on the EU Centre's activities, including an overview of the fulfilment of its tasks and send it, by 1 July each year, to the European Parliament, the Council, the Commission and the Court of Auditors and make the consolidated annual activity report public;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (d)					
G	*786*	*(d)* adopt an anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations, and a strategy for the organisational management and internal control systems	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (e)					
G	*787*	*(e)* adopt rules for the prevention and management of conflicts of interest in respect of its members;	(e) adopt rules for the prevention and management of conflicts of interest in respect of its members;	*deleted*	*deleted*
Article 62(2), point (f)					
G	*788*	*(f)* adopt its rules of procedure;	(f) adopt its rules of procedure;	*deleted*	*deleted*
Article 62(2), point (g)					
G	*789*	*(g)* exercise, with respect to the staff			

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	of the EU Centre, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the EU Centre Empowered to Conclude a Contract of Employment[1] ("the appointing authority powers"); _____ 1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (h)				
G *790*	*(h)* adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110(2) of the Staff Regulations;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (i)				
G *791*	*(i)* appoint the Executive Director and remove him/her from office, in accordance with Article 65;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (j)				
G *792*	*(j)* appoint an Accounting Officer, who may be the Commission's Accounting Officer, subject to the Staff Regulations and the Conditions	*deleted*	*deleted*	*deleted* *Text Origin: Commission*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	of Employment of other servants, who shall be totally independent in the performance of his/her duties;			*Proposal*
Article 62(2), point (k)				
793	*(k)* ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF);	(k) ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF);	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (l)				
794	*(l)* adopt the financial rules applicable to the EU Centre;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (m)				
795	*(m)* take all decisions on the establishment of the EU Centre's internal structures and, where necessary, their modification.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (n)				
796	*(n)* appoint a Data Protection Officer;	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(2), point (o)				
797	*(o)* adopt internal guidelines further specifying the procedures for the processing of information in	*deleted*	*deleted*	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	accordance with Article 51, after consulting the European Data Protection Supervisor;			Text Origin: Commission Proposal
Article 62(2), point (p)				
798	*(p)* authorise the conclusion of memoranda of understanding referred to in Article 53(3) and Article 54(2).	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal
Article 62(2), point (pa)				
798a		***(pa) decide on matters provided for in the financial rules adopted pursuant to Article 68 that are not reserved to the Management Board by this Regulation;***		*deleted*
Article 62(2), point (pb)				
798b		***(pb) without prejudice to the responsibilities of the Executive Director, as set out in Article 64, monitor and supervise the implementation of the decisions of the Management Board, with a view to reinforcing supervision of administrative and budgetary management.***		*deleted*
Article 62(3)				
799	*3.* With respect to the powers mentioned in paragraph 2 point (g) and (h), the Executive Board shall adopt, in accordance with Article 110(2) of the Staff Regulations, a decision based on Article 2(1) of the	*deleted*	*deleted*	*deleted* Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Staff Regulations and Article 6 of the Conditions of Employment, delegating relevant appointing authority powers to the Executive Director. The Executive Director shall be authorised to sub-delegate those powers.			
Article 62(4)				
800	*4.* In exceptional circumstances, the Executive Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and any sub-delegation by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 62(5)				
801	*5.* Where necessary because of urgency, the Executive Board may take certain provisional decisions on behalf of the Management Board, in particular on administrative management matters, including the suspension of the delegation of the appointing authority powers and budgetary matters.	5. Where necessary because of urgency, the Executive Board may take certain provisional decisions on behalf of the Management Board, in particular on administrative management matters, including the suspension of the delegation of the appointing authority powers and budgetary matters.	*deleted*	*deleted*
Article 63				
802	Article 63 Voting rules of the Executive Board	Article 63 Voting rules of the Executive Board	*deleted*	*deleted*
Article 63(1)				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
803	*1.* The Executive Board shall take decisions by simple majority of its members. Each member of the Executive Board shall have one vote. The Chairperson shall have a casting vote in case of a tie.	1. The Executive Board shall take decisions by simple majority of its members. Each member of the Executive Board shall have one vote. The Chairperson shall have a casting vote in case of a tie.	*deleted*	*deleted*
Article 63(2), first subparagraph				
804	*2.* The representatives of the Commission shall have a right to vote whenever matters pertaining to Article 62(2), points (a) to (l) and (p) are discussed and decided upon. For the purposes of taking the decisions referred to in Article 62(2), points (f) and (g), the representatives of the Commission shall have one vote each. The decisions referred to in Article 62(2), points (b) to (e), (h) to (l) and (p), may only be taken if the representatives of the Commission casts a positive vote. For the purposes of taking the decisions referred to in Article 62(2), point (a), the consent of the representatives of the Commission shall only be required on the elements of the decision not related to the annual and multi-annual working programme of the EU Centre.	*deleted*	*deleted*	*deleted* *Text Origin: Commission Proposal*
Article 63(2), second subparagraph				
805	The Executive Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in	*deleted*	*deleted*	*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	which a member may act on behalf of another member.			
3				
806	*3* Part 3: Executive Director	3 Part 3: Executive Director	3 Part 3: Executive Director	3 Part 3: Executive Director Text Origin: Commission Proposal
Article 64				
807	Article 64 Responsibilities of the Executive Director	Article 64 Responsibilities of the Executive Director	Article 64 Responsibilities of the Executive Director	Article 64 Responsibilities of the Executive Director Text Origin: Commission Proposal
Article 64(1)				
808	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board.	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board.	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board.	1.The Executive Director shall manage the EU Centre. The Executive Director shall be accountable to the Management Board. Text Origin: Commission Proposal
Article 64(1a)				
808a		***1a. Without prejudice to the powers of the Commission, of the Management Board and of the Executive Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.***		***1a. Without prejudice to the powers of the Commission and of the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.*** Provisionally agreed (Trilogue 26.02)

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: EP Mandate
Article 64(2)				
809	2.The Executive Director shall report to the European Parliament on the performance of his/her duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.	2.The Executive Director shall report to the European Parliament on the performance of ~~his/her~~***the Executive Director's*** duties when invited to do so. The Council may invite the Executive Director to report on the performance of ~~his/her~~***the Executive Director's*** duties.	2.The Executive Director shall report to the European Parliament on the performance of his/her duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.	2.The Executive Director shall report to the European Parliament on the performance of ~~his/her~~***the Executive Director's*** duties when invited to do so. The Council may invite the Executive Director to report on the performance of ~~his/her~~***the Executive Director's*** duties. Text Origin: EP Mandate
Article 64(3)				
810	3.The Executive Director shall be the legal representative of the EU Centre.	3.The Executive Director shall be the legal representative of the EU Centre.	3.The Executive Director shall be the legal representative of the EU Centre.	3.The Executive Director shall be the legal representative of the EU Centre. Text Origin: Commission Proposal
Article 64(4)				
811	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for:	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for:	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for:	4.The Executive Director shall be responsible for the implementation of the tasks assigned to the EU Centre by this Regulation. In particular, the Executive Director shall be responsible for: Text Origin: Commission Proposal
Article 64(4), point (a)				
812	(a) the day-to-day administration of the EU Centre;	(a) the day-to-day administration of the EU Centre;	(a) the day-to-day administration of the EU Centre;	(a) the day-to-day administration of the EU Centre;

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 64(4), point (b)				
813	(b) preparing decisions to be adopted by the Management Board;	(b) preparing decisions to be adopted by the Management Board;	(b) preparing decisions to be adopted by the Management Board;	(b) preparing decisions to be adopted by the Management Board; Text Origin: Commission Proposal
Article 64(4), point (c)				
814	(c) implementing decisions adopted by the Management Board;	(c) implementing decisions adopted by the Management Board;	(c) implementing decisions adopted by the Management Board;	(c) implementing decisions adopted by the Management Board; Text Origin: Commission Proposal
Article 64(4), point (d)				
815	(d) preparing the Single Programming Document and submitting it to the Executive Board after consulting the Commission;	(d) preparing the Single Programming Document and submitting it to the ~~Executive~~ ***Management*** Board after consulting the Commission;	(d) preparing the Single Programming Document and submitting it to the ~~Executive~~ ***Management*** Board after consulting the Commission;	(d) preparing the Single Programming Document and submitting it to the ~~Executive~~ ***Management*** Board after consulting the Commission; Text Origin: EP Mandate
Article 64(4), point (e)				
816	(e) implementing the Single Programming Document and reporting to the Executive Board on its implementation;	(e) implementing the Single Programming Document and reporting to the ~~Executive~~ ***Management*** Board on its implementation;	(e) implementing the Single Programming Document and reporting to the ~~Executive~~ ***Management*** Board on its implementation;	(e) implementing the Single Programming Document and reporting to the ~~Executive~~ ***Management*** Board on its implementation; Text Origin: EP Mandate
Article 64(4), point (ea)				
816a		***(ea) implementing gender***		

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		mainstreaming and gender budgeting in all areas, including drafting a gender action plan (GAP);		*deleted*
Article 64(4), point (f)				
817	*(f)* preparing the Consolidated Annual Activity Report (CAAR) on the EU Centre's activities and presenting it to the Executive Board for assessment and adoption;	(f) preparing the Consolidated Annual Activity Report (CAAR) on the EU Centre's activities ***including the activities of the Technology Committee and the Victims' Rights and Survivors Consultative Forum*** and presenting it to the ~~*Executive*~~***Management*** Board for assessment and~~–~~ adoption;	(f) preparing the Consolidated Annual Activity Report ~~*(CAAR)*~~ on the EU Centre's activities and presenting it to the ~~*Executive*~~ ***Management*** Board for assessment and~~–~~ adoption;	(f) preparing the Consolidated Annual Activity Report ~~*(CAAR)*~~ on the EU Centre's activities ***including the activities of the Technology Committee and the Victims Consultative Forum*** and presenting it to the ~~*Executive*~~***Management*** Board for assessment and~~–~~ adoption; Text Origin: EP Mandate
Article 64(4), point (g)				
818	(g) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by the European Anti-Fraud Office (OLAF) and by the European Public Prosecutor's Office (EPPO) and reporting on progress twice a year to the Commission and regularly to the Management Board and the Executive Board;	(g) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by the European Anti-Fraud Office (OLAF) and by the European Public Prosecutor's Office (EPPO)~~–~~ and reporting on progress twice a year to the Commission***, the European Parliament*** and regularly to the Management Board and the Executive Board;	(g) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by the European Anti-Fraud Office (OLAF) and by the European Public Prosecutor's Office (EPPO)~~–~~ and reporting on progress twice a year to the Commission and regularly to the Management Board ~~*and the Executive Board*~~;	(g) preparing an action plan following-up ***on*** conclusions of internal or external audit reports and evaluations, as well as investigations by ~~*the European Anti-Fraud Office (OLAF) and by the European Public Prosecutor's Office (EPPO)*~~ ***OLAF and EPPO*** and reporting on progress twice a year to the Commission, and regularly to the Management Board ~~*and the Executive Board*~~; Text Origin: EP Mandate
Article 64(4), point (h)				
819	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption	(h) protecting the financial interests of the Union by applying preventive measures against fraud, corruption

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative, including financial penalties;	and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative, including financial penalties;	and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and ~~, where appropriate, by imposing effective, proportionate and dissuasive administrative, including financial penalties;~~ ***by reporting any criminal conduct in respect of which the EPPO could exercise its competence in accordance with Article 24 of Regulation (EU) 2017/1939.***	and any other illegal activities, without prejudicing the investigative competence of OLAF and EPPO by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative ***penalties***, including financial penalties; Text Origin: CY Acting Pcy2
Article 64(4), point (i)				
G 820	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the Executive Board for approval;	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the ~~Executive~~***Management*** Board for approval;	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the ~~Executive~~ ***Management*** Board for approval;	(i) preparing an anti-fraud strategy, an efficiency gains and synergies strategy, a strategy for cooperation with third countries and/or international organisations and a strategy for the organisational management and internal control systems for the EU Centre and presenting them to the ~~Executive~~***Management*** Board for approval; Text Origin: EP Mandate
Article 64(4), point (j)				
G 821	(j) preparing draft financial rules applicable to the EU Centre;	(j) preparing draft financial rules applicable to the EU Centre;	(j) preparing draft financial rules applicable to the EU Centre;	(j) preparing draft financial rules applicable to the EU Centre; Text Origin: Commission Proposal

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 64(4), point (k)				
822	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget;	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget;	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget;	(k) preparing the EU Centre's draft statement of estimates of revenue and expenditure and implementing its budget; Text Origin: Commission Proposal
Article 64(4), point (l)				
823	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding.	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding.	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding.	(l) preparing and implementing an IT security strategy, ensuring appropriate risk management for all IT infrastructure, systems and services, which are developed or procured by the EU Centre as well as sufficient IT security funding. Text Origin: Commission Proposal
Article 64(4), point (m)				
824	(m) implementing the annual work programme of the EU Centre under the control of the Executive Board;	(m) implementing the annual work programme of the EU Centre under the control of the ~~Executive~~ ***Management*** Board;	(m) implementing the annual work programme of the EU Centre under the control of the ~~Executive~~ ***Management*** Board;	(m) implementing the annual work programme of the EU Centre under the control of the ~~Executive~~ ***Management*** Board; Text Origin: EP Mandate
Article 64(4), point (n)				
825	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;	(n) drawing up a draft statement of estimates of the EU Centre's revenue and expenditure as part of the EU Centre's Single Programming Document and implementing the budget of the EU Centre pursuant to Article 67;

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 64(4), point (o)				
826	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters;	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters;	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters;	(o) preparing a draft report describing all activities of the EU Centre with a section on financial and administrative matters; Text Origin: Commission Proposal
Article 64(4), point (p)				
827	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance.	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance.	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance.	(p) fostering recruitment of appropriately skilled and experienced EU Centre staff, while ensuring gender balance. Text Origin: Commission Proposal
Article 64(4), point (pa)				
827a		***(pa) authorise the conclusion of memoranda of understanding, others than the referred to in Article 53(3) and Article 54(2), after having informed the Management Board.***		*deleted*
Article 64(5)				
828	*5.*Where exceptional circumstances so require, the Executive Director may decide to locate one or more staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner.	5.Where exceptional circumstances so require, the Executive Director may decide to locate one or more staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner	5.Where exceptional circumstances so require, the Executive Director may decide to locate one or more staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner.	5.Where exceptional circumstances so require, the Executive Director may decide to locate one or more staff in another Member State for the purpose of carrying out the EU Centre's tasks in an a more efficient, effective and coherent manner

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded.	***according to the principles of good governance***. Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded.	Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded.	***according to the principles of good administration***. Before deciding to establish a local office, the Executive Director shall obtain the prior consent of the Commission, the Management Board and the Member State concerned. The decision shall be based on an appropriate cost-benefit analysis that demonstrates in particular the added value of such decision and specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the EU Centre. A headquarters agreement with the Member State(s) concerned may be concluded. Text Origin: EP Mandate
Article 64(5a)				
G 828a			***5a. Without prejudice to the powers of the Commission and of the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.***	*deleted* G
Article 65				
G *829*	Article 65 Executive Director	Article 65 Executive Director	Article 65 Executive Director	Article 65 Executive Director Text Origin: Commission Proposal G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 65(1)				
830	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants.	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants.	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants.	1.The Executive Director shall be engaged as a temporary agent of the EU Centre under Article 2(a) of the Conditions of Employment of Other Servants. Text Origin: Commission Proposal
Article 65(2)				
831	2.The Executive Director shall be appointed by the Executive Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure.	2.The Executive Director shall be appointed by the ~~*Executive*~~***Management*** Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure. ***Before appointment, the candidates proposed by the Commission shall be invited to make a statement before the competent committee or committees of the European Parliament and answer questions put by its or their members. Following such statements, the European Parliament shall adopt an opinion setting out its views and may indicate a preferred candidate. The Management Board shall appoint by common accord with the European Parliament the Executive Director.***	2.The Executive Director shall be appointed by the ~~*Executive*~~ ***Management*** Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure.	2.The Executive Director shall be appointed by the ~~*Executive*~~***Management*** Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure. ***Before appointment, the candidates proposed by the Commission shall be invited to make a statement before the competent committee or committees of the European Parliament and answer questions put by its or their members. Following such statements, the European Parliament shall adopt an opinion setting out its views and may indicate a preferred candidate.*** Text Origin: EP Mandate
Article 65(3)				
832	3.For the purpose of concluding the contract with the Executive Director,	3.For the purpose of concluding the contract with the Executive Director,	3.For the purpose of concluding the contract with the Executive Director,	3.For the purpose of concluding the contract with the Executive Director,

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the EU Centre shall be represented by the Chairperson of the Executive Board.	the EU Centre shall be represented by the Chairperson of the ~~Executive~~***Management*** Board.	the EU Centre shall be represented by the Chairperson of the ~~Executive~~ ***Management*** Board.	the EU Centre shall be represented by the Chairperson of the ~~Executive~~***Management*** Board. Text Origin: EP Mandate
Article 65(4)				
833	4.The term of office of the Executive Director shall be five years. Six months before the end of the Executive Director's term of office, the Commission shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges.	4.The term of office of the Executive Director shall be five years. ~~Six months before the end of the Executive Director's term of office, the Commission shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges.~~	4.The term of office of the Executive Director shall be five years. Six months before the end of the Executive Director's term of office, the ***Management Board, with the support of the*** Commission, shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges.	4.The term of office of the Executive Director shall be five years. Six months before the end of the Executive Director's term of office, the ***Management Board, with the support of the*** Commission, shall complete an assessment that takes into account an evaluation of the Executive Director's performance and the EU Centre's future tasks and challenges. Text Origin: Council Mandate
Article 65(5)				
834	5.The Executive Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five years.	5.The ~~Executive~~***Management*** Board, acting on a proposal from the Commission ~~that takes into account the assessment referred to in paragraph 3,~~ may extend the term of office of the Executive Director once, for no more than five years.	5.The ~~Executive~~ ***Management*** Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five years.	5.The ~~Executive~~ ***Management*** Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph ~~3~~***4***, may extend the term of office of the Executive Director once, for no more than five years. Text Origin: Council Mandate
Article 65(6)				
835	6.An Executive Director whose term of office has been extended may not participate in another selection procedure for the same post at the	6.An Executive Director whose term of office has been extended ~~may~~***shall*** not participate in another selection procedure for the same	6.An Executive Director whose term of office has been extended may not participate in another selection procedure for the same post at the	6.An Executive Director whose term of office has been extended ~~may~~***shall*** not participate in another selection procedure for the same

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	end of the overall period.	post at the end of the overall period.	end of the overall period.	post at the end of the overall period. Text Origin: EP Mandate
Article 65(7)				
836	7.The Executive Director may be dismissed only upon a decision of the Executive Board acting on a proposal from the Commission.	7.The Executive Director may be dismissed only upon a decision of the ~~Executive~~***Management*** Board acting on a proposal from the Commission.	7.The Executive Director may be dismissed only upon a decision of the ~~Executive~~ ***Management*** Board ~~acting on a proposal from the Commission~~.	7.The Executive Director may be dismissed only upon a decision of the ~~Executive~~***Management*** Board, acting on ***either*** a proposal from the Commission ***or on a request submitted by at least one third of the voting members of the Management Board***. Text Origin: EP Mandate
Article 65(8)				
837	8.The Executive Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights.	8.The ~~Executive~~***Management*** Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights.	8.The ~~Executive~~ ***Management*** Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights.	8.The ~~Executive~~ ***Management*** Board shall take decisions on appointment, extension of the term of office or dismissal of the Executive Director by a majority of two-thirds of its members with voting rights. Text Origin: Council Mandate
Subsection 5: Technology Committee				
838	Subsection 5: Technology Committee	Subsection 5: Technology Committee	Subsection 5: ~~Technology Committee~~ ***Technology Committee and Victims Board***	Subsection 5: ~~Technology Committee~~ ***Technology Committee and Victims Consultative Forum*** Text Origin: Council Mandate
Article 66				
839	Article 66 Establishment and tasks of the	Article 66 Establishment and tasks of the	Article 66 Establishment and tasks of the	Article 66 Establishment and tasks of the

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Technology Committee	Technology Committee	Technology Committee	Technology Committee Text Origin: Commission Proposal
Article 66(1)				
840	1.The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence and their independence, following the publication of a call for expressions of interest in the Official Journal of the European Union.	1.The Technology Committee shall consist of technical experts ***on all matters related to the technologies relevant for the purposes of this Regulation*** appointed by the Management Board in view of their excellence and their independence, ***ensuring that gender balance is respected***, following the publication of a call for expressions of interest in the Official Journal of the European Union.	1.The Technology Committee shall consist of technical experts appointed by the Management Board in view of their excellence ~~and~~, their independence, ***and particular area of expertise, to ensure a complete and varied set of skills and expertise*** following the publication of a call for expressions of interest in the Official Journal of the European Union.	ITM 13.02: ON HOLD
Article 66(1a)				
840a			***Member States may nominate up to four technical experts each, of which the Management Board shall select a maximum of two per Member State.***	ITM 13.02: ON HOLD Text Origin: Council Mandate
Article 66(1b)				
840b			***The Commission and Europol may nominate up to two technical experts each, from which the Management Board shall select one of each.***	ITM 13.02: ON HOLD Text Origin: Council Mandate
Article 66(1c)				
840c			***The Management Board may appoint up to eleven additional***	ITM 13.02: ON HOLD

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			experts beyond those nominated by Member States, or appointed by the Commission and Europol. These experts nominated by Member States are not seconded national experts but experts mandated by Member States to perform technical expertise missions on an ad hoc basis upon request by the Management Board.	Text Origin: Council Mandate
Article 66(1d)				
840d			***The experts of the Technology Committee shall act in the general interest, observing the principles of neutrality and transparency.***	ITM 13.02: ON HOLD Text Origin: Council Mandate
Article 66(1e)				
840e			***1a. The Technology Committee shall be organised in working groups specialised in assessing specific categories of technologies or types of technologies used to prevent and combat online child sexual abuse. Those working groups may call on external experts on an ad hoc basis.***	ITM 13.02: ON HOLD Text Origin: Council Mandate
Article 66(2)				
841	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.	2.Procedures concerning the appointment of the members of the Technology Committee and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 66(3)				
842	3.The members of the Committee shall be independent and shall act in the public interest. The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	3.The members of the Committee shall be independent and shall act in the public interest. The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	3.~~The members of the Committee shall be independent and shall act in the public interest.~~ The list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	ITM 13.02: ON HOLD
Article 66(4)				
843	4.When a member no longer meets the criteria of independence, he or she shall inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or of the Commission, a lack of independence and revoke the person concerned. The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.	4.When a member no longer meets the criteria of independence, he or she shall inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or of the Commission, a lack of independence and revoke the ***appointment of the*** person concerned. The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.	4.When a member no longer meets the criteria of ~~independence~~***acting in the general interest, neutrality or transparency in the framework of his/her mandate*** , he or she shall inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or ~~of~~ ***the member appointed by*** the Commission, ~~a lack of independence~~ ***that the member is no longer acting in the general interest, or that he or she does not meet the neutrality or transparency criteria*** and revoke the ~~person~~***appointment of that member. In that case, a replacement shall be appointed for the remainder of the mandate of the member*** concerned. ~~The Management Board shall appoint a new member for the remaining term of office~~ in accordance with the procedure ~~for~~	ITM 13.02: ON HOLD

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~ordinary members~~***described in paragraph 1*** .	
Article 66(5)				
844	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be renewable once.	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be renewable once. ***On the expiry of their term of office, members shall remain in office until they are replaced or until their appointments are renewed. If a member resigns before the expiry of his or her term of office, the member shall be replaced for the remainder of the term by a member appointed by the Management Board.***	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be renewable once.	5.The mandates of members of the Technology Committee shall be four years. Those mandates shall be renewable once. ***[On the expiry of their term of office, members shall remain in office until they are replaced or until their appointments are renewed. If a member resigns before the expiry of his or her term of office, the member shall be replaced for the remainder of the term by a member appointed by the Management Board.]*** ITM 13.02: ON HOLD Text Origin: EP Mandate
Article 66(6)				
G 845	6.The Technology Committee shall	6.The Technology Committee shall	6.The Technology Committee shall	6.The Technology Committee shall Text Origin: Commission Proposal G
Article 66(6), point (a)				
846	(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d);	(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d);	~~(a) contribute to the EU Centre's opinions referred to in Article 7(3), first subparagraph, point (d);~~	ITM 13.02: ON HOLD Linked to voluntary detection/detection orders
Article 66(6), point (aa)				
846a			***(aa) contribute to the EU Centre's***	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			activities related to the development, or facilitation of the development, of technologies to mitigate the risk of online child sexual abuse, in accordance with Article 50(1a);	ITM 13.02: ON HOLD
Article 66(6), point (b)				
847	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board, the Executive Board and the Executive Director, in respect of matters related to the use of technology;	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board, the Executive Board and the Executive Director, in respect of matters related to the use of technology;	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board, ~~*the Executive Board*~~ and the Executive Director, in respect of matters related to the use of technology;	(b) contribute to the EU Centre's assistance to the Coordinating Authorities, the Management Board~~,~~ ~~*the Executive Board*~~ and the Executive Director, in respect of matters related to the use of technology; Text Origin: EP Mandate
Article 66(6), point (c)				
848	(c) provide internally, upon request, expertise on matters related to the use of technology for the purposes of prevention and detection of child sexual abuse online.	(c) provide internally, upon request, expertise on matters related to the use of technology for the purposes of prevention and detection of child sexual abuse online.	(c) provide internally~~,~~ upon request, expertise on matters related to the use of technology for the ~~*purposes of prevention and detection*~~ ***purpose of mitigating the risk*** of child sexual abuse online~~.~~***;***	ITM 13.02: ON HOLD
Article 66(6), point (ca)				
848a			***(ca) provide internally expertise after having involved the relevant working group or groups, on an ad hoc basis and at the request of the Management Board.***	ITM 13.02: ON HOLD
Article 66(6), point (ca)				
848b		***(ca) introduce a regular reviewing and reporting process to assess and***		ITM 13.02: ON HOLD

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		share expertise on the most recent technological innovations and developments related to detection technology.		Linked to voluntary detection/detection orders
Article 66 a				
848c		***Art. 66a*** ***Establishment and tasks of the Victims' Rights and Survivors Consultative Forum***	***Article 66a*** ***Appointment and tasks of the Victims Board***	***Article 66a*** ***Establishment and tasks of the Victims Consultative Forum*** Recital: Include reference to 'survivors in recitals (EP request) Text Origin: EP Mandate
Article 66(a), first paragraph				
848d		***1.The EU Centre shall establish a Consultative Forum to assist it by providing it with independent advice on victims related matters. The Consultative Forum shall act upon request of the Management Board or the Executive Director.***		***1.The EU Centre shall establish a Victims Consultative Forum to assist it through the provision of independent advice on victim related matters. The Consultative Forum shall act upon request of the Management Board or the Executive Director.*** Text Origin: EP Mandate
Article 66(a) second paragraph				
848e		***2.The Consultative Forum shall consist of a maximum of fifteen members. Members of the Consultative Forum will be appointed among victims of child sexual abuse and exploitation, both online and offline, as well as from representatives of organisations acting in the public interest against***	***1.The Victims Board shall be comprised of adult victims of child sexual abuse and recognised experts in providing assistance to victims who, following a call for expressions of interest published in the Official Journal of the European Union, shall be appointed by the Management***	***2.The Victims Consultative Forum shall be composed of a maximum of fifteen members that are:*** ***(i) adults who were victims of child sexual abuse, (ii) experts in providing assistance or support to victims of child sexual abuse, and (iii) representatives of civil society organisations acting in the public***

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		child sexual abuse and representing and promoting victims' and survivors' rights. They shall be appointed in view of their personal experience if applicable, expertise and scope of work by the Management Board following the publication of a call for expression of interest in the Official Journal of the European Union.	***Board on the basis of their personal experience, expertise and independence.***	***interest against child sexual abuse and defending the rights of victims of child sexual abuse.*** ***The Management Board shall ensure that these groups are represented in the Victims Consultative Forum in a balanced way and appointed on the broadest possible geographical basis among nationals of Member States.*** ***The Members of the Victims Consultative Forum shall be appointed by the Management Board following a call for expressions of interest published in the Official Journal of the European Union, taking into account their experience, expertise and independence.***
Article 66(a) third paragraph				
G	848f	***3.Procedures concerning the appointment of the members of the Consultative Forum and its operation shall be specified in the rules of procedure of the Management Board and shall be made public.***	***2.The procedures governing the appointment of the members of the Victims Board, its functioning and the conditions governing the transmission of information to the Victims Board shall be laid down in the Management Board's rules of procedure and shall be published.***	***3.The Management Board shall adopt and make public rules of procedure governing the appointment of the members of the Victims Consultative Forum and the transmission of information to the Victims Consultative Forum.***
Article 66(a) fourth paragraph				
G	848g	***4.The members of the Consultative Forum shall be independent and shall act in the public interest. The***	***3.The members of the Victims Board shall be independent in carrying out their tasks as members***	***4.The members of the Victims Consultative Forum shall be independent in carrying out their***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		list of members of the Committee shall be made public and shall be updated by the EU Centre on its website.	***thereof and shall act in the interest of victims of online child sexual abuse. The EU Centre shall publish on its website and maintain updated the list of the members of the Victims Board.***	***tasks and shall act in the interest of victims of child sexual abuse.*** ***The EU Centre shall publish on its website an updated list of the members of the Victims Consultative Forum in the case of individuals, only if they so consent.***	
Article 66(a) fifth paragraph					
G	848h	***5 When a member no longer meets the criteria of independence, he or she shall inform the Management Board. Alternatively, the Management Board may declare, on a proposal of at least one third of its members or of the Commission, a lack of independence and revoke the appointment of the person concerned. The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.***	***4.Members who cease to be independent shall inform the Management Board accordingly. In addition, the Management Board, at the proposal of at least one third of its members or of the member appointed by the Commission, may determine that a given member lacks sufficient independence and revoke the appointment. The Management Board shall appoint a replacement for the remainder of mandate of the member concerned, following the procedure referred to in paragraph 1.***	***5.Members who cease to be independent shall inform the Management Board.*** ***The Management Board, at the proposal of at least one third of its members or of the member appointed by the Commission, may determine that a given member lacks sufficient independence and revoke the appointment.*** ***The Management Board shall appoint a new member for the remaining term of office in accordance with the procedure for ordinary members.***	G
Article 66(a) sixth paragraph					
G	848i	***6 The mandates of members of the Victims' Rights and Survivors Consultative Forum shall be of four years. Those mandates shall be renewable once. On the expiry of their term of office, members shall remain in office until they are***	***5.The mandate of members of the Victims Board shall be four years. It may be renewed once by the Management Board.***	***6.The mandate of members of the Victims Consultative Forum shall be four years. It may be renewed once by the Management Board.*** ***On the expiry of their term of office, members shall remain in***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		replaced or until their appointments are renewed. If a member resigns before the expiry of his or her term of office, the member shall be replaced for the remainder of the term by a member appointed by the Management Board.		***office until they are replaced or until their appointments are renewed. If a member resigns before the expiry of the term of office, the member shall be replaced for the remainder of the term by a new member appointed by the Management Board.***
Article 66a(7)				
848j			***6.The Executive Director and the Management Board may consult the Victims Board in connection with all matters concerning victims of online child sexual abuse.***	*deleted*
Article 66(a) seventh paragraph				
848k		***7 The Consultative Forum shall:***	***7.The Victims Board has the following tasks:***	***7.The Victims Consultative Forum shall have the following tasks:***
Article 66a(7), point (a)				
848l			***(a) make the concerns of victims heard and represent their interests in connection to the work of the EU Centre;***	***(a) make the concerns of victims heard and represent their interests in connection to the work of the EU Centre;***
Article 66(a) seventh paragraph point b				
848m		***a provide the Management Board and the Executive Director with advice on any matter related to victims;***	***(b) advise the Management Board in matters referred to in Article 57 (1)(fa);***	***(b) provide the Management Board and the Executive Director with advice on any matter related to victims;***
Article 66(a) seventh paragraph point c				
848n		***b contribute to the EU Centre communication strategy referred to in Article 50 (5);***		***(c) contribute to the EU Centre communication strategy;***

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Article 66(a) seventh paragraph point c				
848o		***c provide its opinion on the technologies used to detect online child sexual abuse regarding their relevance to the conditions in which child sexual abuse is committed;***		*deleted*
Article 66(a) seventh paragraph point d				
848p		***d maintain an open dialogue with the Management Board and the Executive Director on all matters related to victims, particularly on the protection of victims' rights;***	***(c) advise the Executive Director and the Management Board when consulted in accordance with paragraph 6;***	*deleted*
Article 66(a) seventh paragraph point f				
848q		***e contribute experience and expertise in preventing and combating child sexual abuse and victim support and assistance.***	***(d) contribute their experience and expertise to the work of the EU Centre as a knowledge hub as regards preventing and combating online child sexual abuse and assisting and supporting victims;***	***(f) contribute their experience and expertise to the work of the EU Centre as a knowledge hub with regards to preventing and combating child sexual abuse and to assisting and supporting victims of child sexual abuse;***
Article 66(a), point (g)				
848r			***(e) contribute to the work of the EU Centre in connection to European networks of victims of child sexual abuse.***	***(g) contribute to the cooperation of the EU Centre with networks of victims of child sexual abuse as set out in Article 54.***
Article 66(b)				
848s		***66b Fundamental Rights Officer***		***Article 66b Fundamental Rights Officer*** Text Origin: EP Mandate
Article 66(b) first paragraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
848t		***1 1. The Management Board shall, upon a proposal of a list of three candidates made by the Executive Director, designate a Fundamental Rights Officer. The Fundamental Rights Officer may be a member of the existing staff of the EU Centre who received special training in fundamental rights law and practice.***		***1 The Management Board shall, upon a proposal made by the Executive Director, designate a Fundamental Rights Officer. The Fundamental Rights Officer may be a member of the existing staff of the EU Centre who received special training in fundamental rights law and practice.*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph				
848u		***2 The Fundamental Rights Officer shall perform the following tasks:***		***2 The Fundamental Rights Officer shall perform the following tasks:*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point a				
848v		***(a) contribute to the EU Centre's fundamental rights strategy and the corresponding action plan, including by issuing recommendations for improving them;***		***(a) contribute to the EU Centre's fundamental rights strategy and the corresponding action plan, including by issuing recommendations for improving them;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point b				
848w		***(b) monitor the EU Centre's compliance with fundamental rights, including by conducting investigations into any of its activities;***		***(b) monitor the EU Centre's compliance with fundamental rights, including by conducting investigations into any of its activities;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point c				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
848x		***(c) promote the EU Centre's respect of fundamental rights in the performance of its tasks;***		***(c) promote the EU Centre's respect of fundamental rights in the performance of its tasks;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point d				
848y		***(d) advise the EU Centre where he or she deems it necessary or where requested on any activity of the EU Centre without impeding or delaying those activities;***		***(d) advise the EU Centre where he or she deems it necessary or where requested on any activity of the EU Centre without impeding or delaying those activities;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point e				
848z		***(e) provide non-binding opinions on working arrangements;***		***(e) provide non-binding opinions on working arrangements;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point f				
848aa		***(f) inform the Executive Director about possible violations of fundamental rights during activities of the EU Centre;***		***(f) inform the Executive Director about possible violations of fundamental rights during activities of the EU Centre;*** Text Origin: CY PCY - drafting
Article 66(b) second paragraph, point g				
848ab		***(g) perform any other tasks, where provided for by this Regulation.***		*deleted*
Article 66(b) third paragraph				
848ac		***3. The EU Centre shall ensure that the Fundamental Rights Officer***		***3. The EU Centre shall ensure that the Fundamental Rights Officer***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		does not receive any instructions regarding the exercise of his or her tasks and is able to act autonomously. The Fundamental Rights Officer shall have sufficient and adequate resources at his or her disposal necessary for the fulfilment of his or her tasks.		***does not receive any instructions regarding the exercise of his or her tasks and is able to act autonomously. The Fundamental Rights Officer shall have sufficient and adequate resources at his or her disposal necessary for the fulfilment of his or her tasks.*** Text Origin: CY PCY - drafting
Article 66(b) fourth paragraph,				
G 848ad		***4.The Fundamental Rights Officer shall report directly to the Executive Director and prepare annual reports on his or her activities, including the extent to which the activities of the EU Centre respect fundamental rights. Those reports shall be made available to the Management Board and a meaningful summary is made publicly available.***		***4.The Fundamental Rights Officer shall report directly to the Executive Director and prepare annual reports on his or her activities, including the extent to which the activities of the EU Centre respect fundamental rights. Those reports shall be made available to the Management Board and a meaningful summary is made publicly available.*** Text Origin: CY PCY - drafting
Article 66(b) fifth paragraph,				
G 848ae		***5 The Fundamental Rights Officer shall have access to all the appropriate information concerning respect for fundamental rights in all the activities of the Centre.***		***5 The Fundamental Rights Officer shall have access to all the appropriate information concerning respect for fundamental rights in all the activities of the Centre. The Fundamental Rights Officer shall keep the information in question confidential.*** Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 66(c)				
848af		***66 (c) Article 66c Budget***		*deleted*
Article 66(c) first paragraph				
848ag		***1 1. Estimates of all revenue and expenditure for the EU Centre shall be prepared each financial year, which shall correspond to the calendar year, and shall be shown in the EU Centre's budget, which shall be balanced in terms of revenue and of expenditure.***		*deleted*
Article 66(c) second paragraph				
848ah		***2 Without prejudice to other resources, the EU Centre's revenue shall comprise a contribution from the Union entered in the general budget of the Union.***		*deleted*
Article 66(c) third paragraph				
848ai		***3 The EU Centre may benefit from Union funding in the form of delegation agreements or ad hoc grants in accordance with its financial rules referred to in Article 68 and with the provisions of the relevant instruments supporting the policies of the Union.***		*deleted*
Article 66(c) fourth paragraph				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
848aj		***4 The EU Centre's expenditure shall include staff remuneration, administrative and infrastructure expenses, and operating costs, including the operating costs of the Technology Committee, the Victims' Rights and Survivors Consultative Forum and of any other advisory group it may establish for serving its purposes.***		*deleted*
Article 66(c) fifth paragraph				
848ak		***5 Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments.***		*deleted*
Article 66(c) sixth paragraph				
848al		***6 The budget shall comply with the principle of gender mainstreaming and practice of gender budgeting shall be implemented.***		*deleted*
Article 66(d)				
848am		***66(d) Single Programming Document***		*deleted*
Article 66(d) first paragraph				
848an		***1 By 30 November of each year, the Management Board shall adopt a draft single programming document containing multi-annual***		*deleted* `Text Origin: CY PCY - drafting`

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		and annual programming as well as all the documents listed in Article 32 of Commission Delegated Regulation (EU) 2019/715, based on a draft put forward by the Executive Director, after consulting the Technology Committee and the Victims' Rights and Survivors Consultative Forum, taking into account the opinion of the Commission, and in relation to multiannual programming after consulting the European Parliament. If the Management Board decides not to take into account elements of the opinion of the Commission or of the Technology Committee or the Victims' Rights and Survivors Consultative Forum, it shall provide a thorough justification therefor. The obligation to provide a thorough justification shall also apply to the elements raised by the European Parliament when it is consulted. The Management Board shall forward the draft Single Programming Document to the European Parliament, the Council and the Commission by 31 January of the following year. The Single Programming Document shall become definitive after final adoption of the general budget		

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		and if necessary shall be adjusted accordingly.		
Article 66(d) second paragraph				
848ao		***2 The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraph 4 of this Article. It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year. Annual or multi-annual programming shall include the information about the Agency's planned research, surveys and studies referred to in Article 50(3).***		*deleted*
Article 66(d) third paragraph				
848ap		***3 The Management Board shall amend the adopted annual work programme when a new task is given to the Agency.***		*deleted*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make nonsubstantial amendments to the annual work programme to the Executive Director.		
Article 66(d) fourth paragraph				
G *848aq*		***4 The multi-annual work programme shall set out overall strategic programming including objectives, expected results and performance indicators. It shall also set out resource programming including multi-annual budget and staff. The resource programming shall be updated annually. The strategic programming shall be updated where appropriate, and in particular to address the outcome of the evaluation referred to in Article 85.***		*deleted* G
Article 66(d) fifth paragraph				
G *848ar*		***5 The multi-annual and annual work programmes shall be prepared in compliance with Article 32 of Delegated Regulation (EU) 2019/71***		*deleted* G
Section 6				

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
849	*Section 6* Establishment and Structure of the Budget	Section 6 Establishment and Structure of the Budget	Section 6 Establishment and Structure of the Budget	Section 6 ~~*Establishment and Structure of the Budget*~~ ***Financial Provisions*** Text Origin: CY PCY - drafting
Subsection 1				
850	Subsection 1 Single Programming Document	Subsection 1 Single Programming Document	Subsection 1 Single Programming Document	Subsection 1 Single Programming Document Text Origin: Commission Proposal
Article 66c				
850a				***Article 66c*** ***Annual and multiannual programming***
Article 66c(1)				
850b				***1.By 30 November of each year, the Management Board shall adopt, by a majority of two thirds of the members entitled to vote, a Single Programming Document containing a multiannual work programme and an annual work programme, based on a draft put forward by the Executive Director, after consulting the Technology Committee and the Victims Consultative Forum, taking into account the opinion of the Commission, and - in relation to the multiannual work programme, after consulting the European Parliament. If the Management Board decides not to take into***

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				account any elements of the opinion of the Commission, it shall provide a thorough justification for that decision. The obligation to provide a thorough justification shall also apply to any elements raised by the European Parliament when it is consulted. The Management Board shall forward the Single Programming Document to the European Parliament, the Council and the Commission.
Article 66c(2)				
G 850c				***2. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multiannual work programme.*** ***It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year.***
Article 66c(3), first subparagraph				
G 850d				***3. The Management Board shall amend the adopted annual work***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
				programme when a new task is given to the EU Centre.	
Article 66c(3), second subparagraph					
G 850e				***Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make non-substantial amendments to the annual work programme to the Executive Director.***	G
Article 66c(4), first subparagraph					
G 850f				***4.The multiannual work programme shall set out overall strategic programming, including objectives, expected results and performance indicators. It shall also set out resource programming, including multiannual budget and staff.***	G
Article 66c(4), second subparagraph					
G 850g				***The resource programming shall be updated annually. The strategic programming shall be updated, where appropriate[, and in particular to address the outcome of the evaluation referred to in Article 85].***	G
Article 66c(5)					
G 850h				***5.The multiannual and annual work programmes shall be prepared***	G

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				in compliance with the framework financial regulation for bodies which are set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget, as provided for in Article 70 of Regulation (EU, Euratom) 2024/2509.
Article 67				
851	Article 67 Budget establishment and implementation	Article 67 Budget establishment and implementation	Article 67 ~~*Budget*~~ Establishment ~~*and implementation*~~***of the budget***	*deleted* *Copy-Delete: row 851*
Article 67(1)				
852	*1.*Each year the Executive Director shall draw up a draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including an establishment plan, and shall send it to the Executive Board.	1.Each year the Executive Director shall draw up a draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including an establishment plan, ***a gender impact analysis*** and shall ***use gender mainstreaming and gender budgeting and*** send it to the ~~*Executive*~~***Management*** Board.	1.Each year the Executive Director shall draw up a ***provisional*** draft ~~*statement of estimates*~~***estimate*** of the EU Centre's revenue and expenditure for the following financial year, including ~~*an*~~ ***the*** establishment plan, and shall send it to the ~~*Executive*~~ ***Management*** Board.	*deleted* *Copy-Delete: row 852*
Article 67(2)				
853	*2.*The Executive Board shall, on the basis of the draft statement of estimates, adopt a provisional draft estimate of the EU Centre's revenue and expenditure for the following financial year and shall send it to the	2.The ~~*Executive*~~***Management*** Board shall, on the basis of the draft statement of estimates, adopt a provisional draft estimate of the EU Centre's revenue and expenditure for the following financial year and	2.The ~~*Executive Board shall, on the basis of the draft statement of estimates, adopt a*~~ provisional draft estimate ***shall be based on the objectives and expected results*** of the ~~*EU Centre's revenue and*~~	*deleted* *Copy-Delete: row 853*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Commission by 31 January each year.	shall send it to the Commission by 31 January each year.	~~*expenditure for the following financial year*~~***annual programming document,*** and shall ~~*send it to the Commission by 31 January each year*~~***take into account the financial resources necessary to achieve those objectives and expected results, in accordance with the principle of performance-based budgeting***.	
Article 67(3)				
854	*3.*The Executive Board shall send the final draft estimate of the EU Centre's revenue and expenditure, which shall include a draft establishment plan, to the European Parliament, the Council and the Commission by 31 March each year.	3.The ~~*Executive*~~***Management*** Board shall send the final draft estimate of the EU Centre's revenue and expenditure, which shall include a draft establishment plan, to the European Parliament, the Council and the Commission by 31 March each year.	3.The ~~*Executive*~~ ***Management*** Board shall***, on the basis of the provisional draft estimate, adopt a*** ~~*send the final*~~ draft estimate of the EU Centre's revenue and expenditure~~*, which*~~ ***for the following financial year and*** shall ~~*include a draft establishment plan, to the European Parliament, the Council and*~~***send it to*** the Commission by 31 ~~*March*~~***January*** each year.	*deleted* *Copy-Delete: row 854*
Article 67(4)				
855	*4.*The Commission shall send the statement of estimates to the European Parliament and the Council, together with the draft general budget of the Union.	4.The Commission shall send the statement of estimates to the European Parliament and the Council, together with the draft general budget of the Union.	4.The Commission shall send the ~~*statement of estimates*~~***draft estimate*** to the ~~*European Parliament and the Council,*~~***budgetary authority*** together with the draft general budget of the Union. ***The draft estimate shall also be made available to the EU Centre.***	*deleted* *Copy-Delete: row 855*
Article 67(5)				
856	*5.*On the basis of the statement of	5.On the basis of the statement of	5.On the basis of the ~~*statement of*~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the European Parliament and the Council in accordance with Articles 313 and 314 of the Treaty on the Functioning of the European Union.	estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the European Parliament and the Council in accordance with Articles 313 and 314 of the Treaty on the Functioning of the European Union.	~~estimates~~***draft estimate***, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the ~~*European Parliament and the Council*~~***budgetary authority*** in accordance with Articles 313 and 314 ~~*of the Treaty on the Functioning of the European Union*~~***TFEU***.	*deleted* *Copy-Delete: row 856*
Article 67(5a)				
G *856a*			***5a. The budgetary authority shall authorise the appropriations for the contribution from the general budget of the Union to the EU Centre.*** Provisionally agreed (ITM 23.01) (Moved to line 870g)	G
Article 67(5b)				
G 856b			***5b. The budgetary authority shall adopt the EU Centre's establishment plan.*** Provisionally agreed (ITM 23.01) (Moved to line 870h).	G
Article 67(5c)				
G 856c			***5c. The Management Board shall adopt the EU Centre's budget. It shall become final following the***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			final adoption of the general budget of the Union and, if necessary, it shall be adjusted accordingly. Provisionally agreed (ITM 23.01) (Moved to line 870i).	
Article 67(5d)				
856d			***5d. For any building project likely to have significant implications for the budget of the EU Centre, Delegated Regulation (EU) 2019/715 shall apply.*** Provisionally agreed (ITM 23.01) (Moved to line 870j).	
Article 67(6)				
857	6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre.	6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre.	~~*6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre.*~~	*deleted* *Copy-Delete: row 857*
Article 67(7)				
858	*7.*The European Parliament and the Council shall adopt the EU Centre's establishment plan.	7.The European Parliament and the Council shall adopt the EU Centre's establishment plan.	~~*7.The European Parliament and the Council shall adopt the EU Centre's establishment plan.*~~	*deleted* *Copy-Delete: row 858*
Article 67(8)				
859	*8.*The EU Centre's budget shall be adopted by the Executive Board. It shall become final following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly.	8.The EU Centre's budget shall be adopted by the ~~*Executive*~~***Management*** Board ***by a majority of two-thirds of members entitled to vote***. It shall become final	~~*8.The EU Centre's budget shall be adopted by the Executive Board. It shall become final following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly.*~~	*deleted* *Copy-Delete: row 859*

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly.		
Article 67(9)				
860	*9.*The Executive Director shall implement the EU Centre's budget.	9.The Executive Director shall implement the EU Centre's budget.	~~*9.The Executive Director shall implement the EU Centre's budget.*~~	*deleted* *Copy-Delete: row 860*
Article 67(10)				
861	*10.* Each year the Executive Director shall send to the European Parliament and the Council all information relevant to the findings of any evaluation procedures.	10. Each year the Executive Director shall send to the European Parliament and the Council all information relevant to the findings of any evaluation procedures.	~~*10. Each year the Executive Director shall send to the European Parliament and the Council all information relevant to the findings of any evaluation procedures.*~~	*deleted* *Copy-Delete: row 861*
Article 68				
862	Article 68 Financial rules	Article 68 Financial rules	Article ~~*68*~~***70*** Financial rules	*deleted* *Copy-Delete: row 862*
Article 68, first paragraph				
863	The financial rules applicable to the EU Centre shall be adopted by the Executive Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent. _____	The financial rules applicable to the EU Centre shall be adopted by the ~~*Executive*~~***Management*** Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has	The financial rules applicable to the EU Centre shall be adopted by the ~~*Executive*~~ ***Management*** Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent.	*deleted* *Copy-Delete: row 863*

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	1. OJ L 122, 10.5.2019, p. 1.	given its prior consent. 1. OJ L 122, 10.5.2019, p. 1.	1. OJ L 122, 10.5.2019, p. 1.	
Article 68, first paragraph a				
863a			***The EU Centre shall establish and implement its budget in line with its financial rules and the Financial Regulation (EU) 2018/1046.*** Provisionally agreed (ITM 23.01) (Moved to line 880c)	
Subsection 2				
864	Subsection 2 Presentation, implementation and control of the budget	Subsection 2 Presentation, implementation and control of the budget	Subsection 2 Presentation, implementation and control of the budget	Subsection 2 Presentation, implementation and control of the budget Text Origin: Commission Proposal
Article 69				
865	Article 69 Budget	*deleted*	Article 69 ***Structure of the*** budget	Article 69 Budget Text Origin: Commission Proposal
Article 69(1)				
866	1.Estimates of all revenue and expenditure for the EU Centre shall be prepared each financial year, which shall correspond to the calendar year, and shall be shown in the EU Centre's budget, which shall be balanced in terms of revenue and of expenditure.	*deleted*	1.Estimates of all revenue and expenditure ~~*for*~~ ***of*** the EU Centre shall be prepared each financial year, ~~*which shall correspond to the calendar year,*~~ and shall be shown in the EU Centre's budget~~*, which*~~***. The financial year*** shall ~~*be balanced in terms of revenue and of*~~	1.Estimates of all revenue and expenditure ~~*for*~~***of*** the EU Centre shall be prepared each financial year, ~~*which shall correspond to the calendar year,*~~ and shall be shown in the EU Centre's budget~~*, which*~~***. The financial year*** shall ~~*be balanced in terms of revenue and of*~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~expenditure~~***correspond to the calendar year***.	~~expenditure~~***correspond to the calendar year***. Text Origin: Council Mandate
Article 69(1a)				
866a			***3.The EU Centre's budget shall be balanced in terms of revenue and of expenditure.***	***1a. The EU Centre's budget shall be balanced in terms of revenue and of expenditure.*** Text Origin: Council Mandate
Article 69(2)				
867	2.Without prejudice to other resources, the EU Centre's revenue shall comprise a contribution from the Union entered in the general budget of the Union.	*deleted*	2.Without prejudice to other resources, the EU Centre's revenue shall comprise ~~*a contribution from the Union entered in the general budget of the Union.*~~***:***	2.Without prejudice to other resources, the EU Centre's revenue shall comprise ~~*a contribution from the Union entered in the general budget of the Union.*~~***:*** Text Origin: Council Mandate
Article 69(2), point (a)				
867a			***(a) a contribution from the Union entered in the general budget of the Union;***	***(a) a contribution from the Union entered in the general budget of the Union;*** Text Origin: Council Mandate
Article 69(2), point (b)				
867b			***(b) any voluntary financial contribution from the Member States;***	***(b) any voluntary financial contribution from the Member States;*** Text Origin: Council Mandate
Article 69(2), point (c)				
867c			***(c) any contribution from third countries participating in the work***	***(c) any contribution from third countries participating in the work***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			of the EU Centre, as provided for in Article 54a;	***of the EU Centre, as provided for in Article 54a;*** Text Origin: Council Mandate
Article 69(2), point (d)				
867d			***(d) possible Union funding in the form of delegation agreements or ad hoc grants in accordance with the EU Centre's financial rules referred to in Article 70 and with the provisions of the relevant instruments supporting the policies of the Union;***	***(d) possible Union funding in the form of contribution agreements or ad hoc grants in accordance with the EU Centre's financial rules referred to in Article [70a] and with the provisions of the relevant instruments supporting the policies of the Union;*** Text Origin: CY PCY - drafting
Article 69(2), point (e)				
867e			***(e) charges for publications and any service provided by the EU Centre.***	***(e) charges for publications and any service provided by the EU Centre.*** Text Origin: Council Mandate
Article 69(3)				
868	3.The EU Centre may benefit from Union funding in the form of delegation agreements or ad hoc grants in accordance with its financial rules referred to in Article 68 and with the provisions of the relevant instruments supporting the policies of the Union.	*deleted*	~~*3.The EU Centre may benefit from Union funding in the form of delegation agreements or ad hoc grants in accordance with its financial rules referred to in Article 68 and with the provisions of the relevant instruments supporting the policies of the Union.*~~	*deleted*
Article 69(4)				
869	*4.*The EU Centre's expenditure shall include staff remuneration,	*deleted*	4.***The expenditure of*** the EU Centre~~*'s expenditure*~~ shall include	4.***The expenditure of*** the EU Centre~~*'s expenditure*~~ shall include

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	administrative and infrastructure expenses, and operating costs.		staff remuneration, administrative and infrastructure expenses, and ~~operating costs~~***operational expenditure***.	staff remuneration, administrative and infrastructure expenses, and ~~operating costs~~***operational expenditure, including that of the Technology Committee, the Victims Consultative Forum and of any advisory group it may establish***. Text Origin: CY PCY - drafting
Article 69(5)				
870	5.Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments.	*deleted*	~~5.Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments.~~	5.Budgetary commitments for actions relating to large-scale projects extending over more than one financial year may be broken down into several annual instalments. Text Origin: Commission Proposal
Article 69a				
870a	Article 67 Budget establishment and implementation Moved reference text			Article ~~67~~***69a*** ~~*Budget*~~ Establishment and implementation ***of the budget*** Copy-Delete: row 851 Text Origin: CY PCY - drafting
Article 69a(1)				
870b	1.Each year the Executive Director shall draw up a draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including an establishment plan, and shall send			1.Each year the Executive Director shall draw up a ***provisional*** draft statement of estimates of the EU Centre's revenue and expenditure for the following financial year, including ~~an~~***the*** establishment plan,

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	it to the Executive Board. Moved reference text			and shall send it to the ~~Executive~~***Management*** Board. Copy-Delete: row 852 Text Origin: Council Mandate
Article 69a(2)				
G 870c	2.The Executive Board shall, on the basis of the draft statement of estimates, adopt a provisional draft estimate of the EU Centre's revenue and expenditure for the following financial year and shall send it to the Commission by 31 January each year. Moved reference text			*deleted* *Copy-Delete: row 853*
Article 69a(3)				
G *870d*	*3.*The Executive Board shall send the final draft estimate of the EU Centre's revenue and expenditure, which shall include a draft establishment plan, to the European Parliament, the Council and the Commission by 31 March each year. Moved reference text			3.The ~~*Executive*~~ ***Management*** Board shall***, on the basis of the draft estimate, adopt a provisional*** ~~*send the final*~~ draft estimate of the EU Centre's revenue and expenditure~~,~~ ~~*which*~~ ***for the following financial year and*** shall ~~*include a draft establishment plan, to the European Parliament, the Council and*~~***send it to*** the Commission by 31 ~~*March*~~***January*** each year. Copy-Delete: row 854 Text Origin: Council Mandate
Article 69a(4)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
G 870e	4.The Commission shall send the statement of estimates to the European Parliament and the Council, together with the draft general budget of the Union. Moved reference text			4.The Commission shall send the statement of estimates to the ~~*European Parliament and the Council,*~~***budgetary authority*** together with the draft general budget of the Union. ***The draft estimate shall also be made available to the EU Centre.*** Copy-Delete: row 855 Text Origin: Council Mandate
Article 69a(5)				
G 870f	5.On the basis of the statement of estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the European Parliament and the Council in accordance with Articles 313 and 314 of the Treaty on the Functioning of the European Union. Moved reference text			5.On the basis of the statement of estimates, the Commission shall enter in the draft general budget of the Union the estimates that it considers necessary for the establishment plan and the amount of the contribution to be charged to the general budget, which it shall place before the ~~*European Parliament and the Council*~~***budgetary authority*** in accordance with Articles 313 and 314 ~~*of the Treaty on the Functioning of the European Union*~~***TFEU***. Copy-Delete: row 856 Text Origin: Council Mandate
Article 69a(6)				
G 870g				***6.The budgetary authority shall authorise the appropriations for the contribution from the general***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				budget of the Union to the EU Centre. Text Origin: Council Mandate
Article 69a(7)				
G 870h				***7. The budgetary authority shall adopt the EU Centre's establishment plan.*** Text Origin: Council Mandate
Article 69a(8)				
G 870i				***8. The Management Board shall adopt the EU Centre's budget by a two thirds majority. It shall become final following the final adoption of the general budget of the Union and, if necessary, it shall be adjusted accordingly.*** Text Origin: CY PCY - drafting
Article 69a(9)				
G 870j				***9. For any building project likely to have significant implications for the budget of the EU Centre, the framework financial regulation for bodies which are set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget, as provided for in Article 70 of Regulation (EU, Euratom) 2024/2509, shall apply.*** Text Origin: CY PCY - drafting

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 69a(10)				
870k	6.The European Parliament and the Council shall authorise the appropriations for the contribution from the Union to the EU Centre. Moved reference text			*deleted* *Copy-Delete: row 857*
Article 69a(11)				
870l	*7.*The European Parliament and the Council shall adopt the EU Centre's establishment plan. Moved reference text			*deleted* *Copy-Delete: row 858*
Article 69a(12)				
870m	*8.*The EU Centre's budget shall be adopted by the Executive Board. It shall become final following the final adoption of the general budget of the Union. Where necessary, it shall be adjusted accordingly. Moved reference text			*deleted* *Copy-Delete: row 859*
Article 69a(13)				
870n	*9.*The Executive Director shall implement the EU Centre's budget. Moved reference text			~~*9*~~***13***. The Executive Director shall implement the EU Centre's budget. Copy-Delete: row 860 Text Origin: EP Mandate
Article 69a(14)				
870o	10. Each year the Executive Director shall send to the European			~~*10*~~***14***.Each year the Executive Director shall send to the European

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Parliament and the Council all information relevant to the findings of any evaluation procedures. Moved reference text			Parliament and the Council all information relevant to the findings of any evaluation procedures. Copy-Delete: row 861 Text Origin: EP Mandate
Article 70				
871	Article 70 Presentation of accounts and discharge	Article 70 Presentation of accounts and discharge	Article ~~70~~69 Presentation of accounts and discharge	Article 70 Presentation of accounts and discharge Text Origin: Commission Proposal
Article 70(1)				
872	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1).	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1).	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1).	1.The EU Centre's accounting officer shall send the provisional accounts for the financial year (year N) to the Commission's accounting officer and to the Court of Auditors by 1 March of the following financial year (year N + 1). Text Origin: Commission Proposal
Article 70(1a)				
872a			***1a. The EU Centre's accounting officer shall also provide the required accounting information for consolidation purposes to the Commission's accounting officer, in the manner and format required by the latter by 1 March of year N + 1.***	***1a. The EU Centre's accounting officer shall also provide the required accounting information for consolidation purposes to the Commission's accounting officer, in the manner and format required by the latter by 1 March of year N + 1.***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 70(2)				
873	2.The EU Centre shall send a report on the budgetary and financial management for year N to the European Parliament, the Council and the Court of Auditors by 31 March of year N + 1.	2.The EU Centre shall send a report on the budgetary and financial management for year N to the European Parliament, the Council and the Court of Auditors by 31 March of year N + 1.	2.The EU Centre shall send ~~a~~ ***the*** report on the budgetary and financial management for year N to the European Parliament, the Council, ***the Commission*** and the Court of Auditors by 31 March of year N + 1.	2.The EU Centre shall send a report on the budgetary and financial management for year N to the European Parliament, the Council and the Court of Auditors by 31 March of year N + 1. Text Origin: Commission Proposal
Article 70(3)				
874	3.The Commission's accounting officer shall send the EU Centre's provisional accounts for year N, consolidated with the Commission's accounts, to the Court of Auditors by 31 March of year N + 1.	3.The Commission's accounting officer shall send the EU Centre's provisional accounts for year N, consolidated with the Commission's accounts, to the Court of Auditors by 31 March of year N + 1.	3.***On receipt of the Court of Auditor's observations on*** ~~*The Commission's accounting officer shall send*~~ the EU Centre's provisional accounts for year N, ~~*consolidated with the Commission's*~~***the EU Centre's accounting officer shall draw up the EU Centre's final*** accounts~~,~~ ***under his or her own responsibility. The Executive Director shall submit them*** to the ~~*Court of Auditors by 31 March of year N + 1*~~***Management Board for an opinion***.	3.The Commission's accounting officer shall send the EU Centre's provisional accounts for year N, consolidated with the Commission's accounts, to the Court of Auditors by 31 March of year N + 1. Text Origin: Commission Proposal
Article 70(3a)				
874a				***3a. On receipt of the Court of Auditor's observations on the EU Centre's provisional accounts for year N, the EU Centre's accounting officer shall draw up the EU Centre's final accounts under his or her own responsibility.***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 70(4)				
875	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N.	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N.	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N.	4.The Management Board shall deliver an opinion on the EU Centre's final accounts for year N. Text Origin: Commission Proposal
Article 70(5)				
876	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission, the Court of Auditors and national parliaments, together with the Management Board's opinion.	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission, the Court of Auditors and national parliaments, together with the Management Board's opinion.	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission~~,~~ ***and*** the Court of Auditors ~~*and national parliaments*~~, together with the Management Board's opinion.	5.The EU Centre's accounting officer shall, by 1 July of year N + 1, send the final accounts for year N to the European Parliament, the Council, the Commission~~,~~ ***and*** the Court of Auditors ~~*and national parliaments*~~, together with the Management Board's opinion. Text Origin: Council Mandate
Article 70(6)				
877	6.The final accounts for year N shall be published in the Official Journal of the European Union by 15 November of year N + 1.	6.The final accounts for year N shall be published in the Official Journal of the European Union by 15 November of year N + 1.	6.***A link to the pages of the website containing*** the final accounts ~~*for year N*~~ ***of the EU Centre*** shall be published in the Official Journal of the European Union by 15 November of year N + 1.	6.***A link to the pages of the website containing*** the final accounts ~~*for year N*~~***of the EU Centre*** shall be published in the Official Journal of the European Union by 15 November of year N + 1. Text Origin: Council Mandate
Article 70(7)				
878	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report. He or she shall also send the reply to the Management Board.	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report. He or she shall also send the reply to the Management Board.	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report.~~*He or she*~~ ***The Executive Director*** shall also send~~*the*~~ ***this***	7.The Executive Director shall send to the Court of Auditors, by 30 September of year N + 1, a reply to the observations made in its annual report.~~*He or she*~~ ***The Executive Director*** shall also send~~*the*~~ ***this***

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			reply to the Management Board ***and to the Commission***.	reply to the Management Board ***and to the Commission***. Text Origin: Council Mandate
Article 70(8)				
879	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N.	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N.	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N***, in accordance with Article 261(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council***.	8.The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for year N. Text Origin: Commission Proposal
Article 70(9)				
880	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, grant a discharge to the Executive Director in respect of the implementation of the budget for year N.	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, grant a discharge to the Executive Director in respect of the implementation of the budget for year N.	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, ~~*grant*~~ ***give*** a discharge to the Executive Director in respect of the implementation of the budget for year N.	9.On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, ~~*grant*~~ ***give*** a discharge to the Executive Director in respect of the implementation of the budget for year N. Text Origin: Council Mandate
Article 70a				
880a	Article 68 Financial rules Moved reference text			Article ~~*68*~~***70a*** Financial rules Copy-Delete: row 862 Text Origin: Commission Proposal

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 70a, first paragraph				
880b	The financial rules applicable to the EU Centre shall be adopted by the Executive Board after consultation with the Commission. They shall not depart from Delegated Regulation (EU) 2019/715[1] unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent. 1. OJ L 122, 10.5.2019, p. 1. Moved reference text			The financial rules applicable to the EU Centre shall be adopted by the ~~Executive~~***Management*** Board after consultation with the Commission. They shall not depart from ~~Delegated~~***the framework financial regulation for bodies which are set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget, as provided for in Article 70 of*** Regulation (EU***, Euratom***) ~~2019/715~~[1]***2024/2509,*** unless such a departure is specifically required for the operation of the EU Centre and the Commission has given its prior consent. ~~1. OJ L 122, 10.5.2019, p. 1.~~ Copy-Delete: row 863 Text Origin: EP Mandate
Article 70a, second paragraph				
880c				***The EU Centre shall establish and implement its budget in line with its financial rules and the Financial Regulation (EU, Euratom) 2024/2509.***
Section 7				
881	Section 7 Staff	Section 7 Staff	Section 7 Staff	Section 7 Staff Text Origin: Commission

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Proposal
Article 71				
882	Article 71 General provisions	Article 71 General provisions	Article 71 General provisions	Article 71 General provisions Text Origin: Commission Proposal
Article 71(1)				
883	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation.	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation.	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation.	1.The Staff Regulations and the Conditions of Employment of Other Servants and the rules adopted by agreement between the institutions of the Union for giving effect thereto shall apply to the EU Centre for all matters not covered by this Regulation. Text Origin: Commission Proposal
Article 71(2)				
884	2.The Executive Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations.	2.The Executive Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations.	2.The ~~*Executive*~~ ***Management*** Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations.	2.The ~~*Executive*~~ ***Management*** Board, in agreement with the Commission, shall adopt the necessary implementing measures, in accordance with the arrangements provided for in Article 110 of the Staff Regulations. Text Origin: Council Mandate
Article 71(3)				
885	3.The EU Centre staff, in particular those working in areas related to detection, reporting and removal of online child sexual abuse, shall have	3.The EU Centre staff, in particular those working in areas related to detection, reporting and removal of online child sexual abuse, shall have	3.The EU Centre staff, in particular those working in areas related to ***the risk mitigation,*** detection, reporting and removal of online child sexual	3.The EU Centre staff, in particular those working in areas related to ***the risk mitigation,*** detection, reporting and removal of online child sexual

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	access to appropriate counselling and support services.	access to appropriate counselling and support services***, meeting any other possible physical or socio-psychological needs***.	abuse, shall have access to appropriate counselling and support services.	abuse, shall have access to appropriate counselling and support services ***to address mental health issues resulting from the performance of their professional tasks***. Text Origin: CY PCY - drafting
Article 72				
G 886	Article 72 Seconded national experts and other staff	Article 72 Seconded national experts and other staff	Article 72 Seconded national experts and other staff	Article 72 Seconded national experts and other staff Text Origin: Commission Proposal
Article 72(1)				
G 887	1.The EU Centre may make use of seconded national experts or other staff not employed by it.	1.The EU Centre may make use of seconded national experts or other staff not employed by it.	1.The EU Centre may make use of seconded national experts or other staff not employed by it.	1.The EU Centre may make use of seconded national experts or other staff not employed by it. Text Origin: Commission Proposal
Article 72(2)				
G 888	2.The Executive Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take into account the fact that	2.The Executive Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take into account the fact that	2.The ~~*Executive*~~ ***Management*** Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take	2.The ~~*Executive*~~ ***Management*** Board shall adopt rules related to staff from Member States, including the contact officers referred to in Article 52, to be seconded to the EU Centre and update them as necessary. Those rules shall include, in particular, the financial arrangements related to those secondments, including insurance and training. Those rules shall take

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the Executive Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff.	the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the Executive Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff.	into account the fact that the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the ~~*Executive*~~ ***Management*** Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff.	into account the fact that the staff is seconded and to be deployed as staff of the EU Centre. They shall include provisions on the conditions of deployment. Where relevant, the ~~*Executive*~~ ***Management*** Board shall aim to ensure consistency with the rules applicable to reimbursement of the mission expenses of the statutory staff. Text Origin: Council Mandate
Article 73				
889	Article 73 Privileges and immunities	Article 73 Privileges and immunities	Article 73 Privileges and immunities	Article 73 Privileges and immunities Text Origin: Commission Proposal
Article 73, first paragraph				
890	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff.	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff.	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff.	Protocol No 7 on the Privileges and Immunities of the European Union annexed to the Treaty on the Functioning of the European Union shall apply to the EU Centre and its staff. Text Origin: Commission Proposal
Article 73, second paragraph				
891	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU	Privileges and immunities of contact officers and members of their families shall be subject to an agreement between the Member State where the seat of the EU

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers.	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers.	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers.	Centre is located and the other Member States. That agreement shall provide for such privileges and immunities as are necessary for the proper performance of the tasks of contact officers. Text Origin: Commission Proposal
Article 74				
G 892	Article 74 Obligation of professional secrecy	Article 74 Obligation of professional secrecy	Article 74 Obligation of professional secrecy	Article 74 Obligation of professional secrecy Text Origin: Commission Proposal
Article 74(1)				
G 893	1.Members of the Management Board and the Executive Board, and all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased.	1.Members of the Management Board and the Executive Board, and all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased.	1.Members of the Management Board and ~~*the Executive Board, and*~~ all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased.	1.Members of the Management Board ~~*and the Executive Board,*~~ and all members of the staff of the EU Centre, including officials seconded by Member States on a temporary basis, and all other persons carrying out tasks for the EU Centre on a contractual basis, shall be subject to the requirements of professional secrecy pursuant to Article 339 of the Treaty on the Functioning of the European Union even after their duties have ceased. Text Origin: CY PCY - drafting
Article 74(2)				
G 894	2.The Executive Board shall ensure that individuals who provide any	2.The Executive Board shall ensure that individuals who provide any	2.The ~~*Executive*~~ ***Management*** Board shall ensure that individuals	2.The ~~*Executive*~~***Management*** Board shall ensure that individuals who

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the Executive Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1.	service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the Executive Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1.	who provide any service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the ~~Executive~~ ***Management*** Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1.	provide any service, directly or indirectly, permanently or occasionally, relating to the tasks of the EU Centre, including officials and other persons authorised by the ~~Executive~~***Management*** Board or appointed by the coordinating authorities for that purpose, are subject to requirements of professional secrecy equivalent to those in paragraph 1. Text Origin: CY PCY - drafting
Article 74(3)				
G 895	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.	3.The EU Centre shall establish practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2. Text Origin: Commission Proposal
Article 74(4)				
G 896	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. _____ 1. 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).	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. _____ 1. 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).	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. _____ 1. 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).	4.The EU Centre shall apply Commission Decision (EU, Euratom) 2015/444[1]. _____ 1. 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). Text Origin: Commission Proposal
Article 75				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
897	Article 75 Security rules on the protection of classified and sensitive non-classified information	Article 75 Security rules on the protection of classified and sensitive non-classified information	Article 75 Security rules on the protection of classified and sensitive non-classified information	Article 75 Security rules on the protection of classified and sensitive non-classified information Text Origin: Commission Proposal
Article 75(1)				
898	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The Executive Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The Executive Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The ~~*Executive*~~ ***Management*** Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).	1.The EU Centre shall adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443[1] and (EU, Euratom) 2015/444. The security rules of the EU Centre shall cover, inter alia, provisions for the exchange, processing and storage of such information. The ~~*Executive*~~***Management*** Board shall adopt the EU Centre's security rules following approval by the Commission. 1. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41). Text Origin: CY PCY - drafting
Article 75(2)				
899	2.Any administrative arrangement on the exchange of classified information with the relevant	2.Any administrative arrangement on the exchange of classified information with the relevant	2.Any administrative arrangement on the exchange of classified information with the relevant	2.Any administrative arrangement on the exchange of classified information with the relevant

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval.	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval.	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval.	authorities of a third country or, in the absence of such arrangement, any exceptional ad-hoc release of EUCI to those authorities, shall be subject to the Commission's prior approval. Text Origin: Commission Proposal
Section 8				
900	Section 8 General provisions	Section 8 General provisions	Section 8 General provisions	Section 8 General provisions Text Origin: Commission Proposal
Article 76				
901	Article 76 Language arrangements	Article 76 Language arrangements	Article 76 Language arrangements	Article 76 Language arrangements Text Origin: Commission Proposal
Article 76, first paragraph				
902	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. The translation services required for the functioning of the EU Centre shall be provided by the Translation Centre for the bodies of the European Union. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385/58).	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. The translation services required for the functioning of the EU Centre shall be provided by the Translation Centre for the bodies of the European Union. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385/58).	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. The translation services required for the functioning of the EU Centre shall be provided by the Translation Centre for the bodies of the European Union. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385/58).	The provisions laid down in Regulation No 1[1] shall apply to the EU Centre. ~~The~~ Translation ***and all other linguistic*** services required ~~*for the functioning of*~~***by*** the EU Centre***, other than interpretation,*** shall be provided by the Translation Centre for the Bodies of the European Union***, as established by Council Regulation (EC) No 2965/94***. 1. Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				385/58). Text Origin: CY PCY - drafting
Article 77				
903	Article 77 Transparency and communication	Article 77 Transparency and communication	Article 77 Transparency and communication	Article 77 Transparency and communication Text Origin: Commission Proposal
Article 77(1)				
904	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048.	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048.	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048.	1.Regulation (EC) No 1049/2001[1] shall apply to documents held by the EU Centre. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying that Regulation. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 , 31/05/2001 P. 0043 – 0048. Text Origin: Commission Proposal
Article 77(2)				
905	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those	2.The processing of personal data by the EU Centre shall be subject to Regulation (EU) 2018/1725. The Management Board shall, within six months of the date of its first meeting, establish measures for the application of that Regulation by the EU Centre, including those

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor.	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor.	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor.	concerning the appointment of a Data Protection Officer of the EU Centre. Those measures shall be established after consultation of the European Data Protection Supervisor. Text Origin: Commission Proposal
Article 77(3)				
906	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.	3.The EU Centre may engage in communication activities on its own initiative within its field of competence. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board. Text Origin: Commission Proposal
Article 78				
907	Article 78 Anti-fraud measures	Article 78 Anti-fraud measures	Article 78 Anti-fraud measures	Article 78 Anti-fraud measures Text Origin: Commission Proposal
Article 78(1)				
908	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of	1.In order to combat fraud, corruption and other unlawful activities, Regulation (EU, Euratom) No 883/2013[1] shall apply. _____ 1. Regulation (EU, Euratom) No 883/2013 of

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1).	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1).	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1).	the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999. (OJ L 248, 18.9.2013, p. 1). Text Origin: Commission Proposal
Article 78(2)				
G 909	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement.	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement.	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement.	2.The EU Centre shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by OLAF within six months from [date of start of operations as set out in Article 82] and shall adopt the appropriate provisions applicable to its staff using the template set out in the Annex to that Agreement. Text Origin: Commission Proposal G
Article 78(3)				
G 910	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the	3.The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	EU Centre.	EU Centre.	EU Centre.	EU Centre. Text Origin: Commission Proposal
Article 78(4)				
911	4.OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2).	4.OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2).	4.OLAF may***, within the scope of its mandate,*** carry out investigations, ***which may also include*** ~~*including*~~ on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2).	4.OLAF may***, within the scope of its mandate,*** carry out investigations, ***which may also include*** ~~*including*~~ on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the EU Centre, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and Council Regulation (Euratom, EC) No 2185/96[1]. 1. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities. (OJ L 292, 15.11.1996, p. 2). Text Origin: Council Mandate
Article 78(5)				
912	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of	5.Without prejudice to paragraphs 1, 2, 3, and 4, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	the EU Centre shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences. Text Origin: Commission Proposal
Article 79				
G 913	Article 79 Liability	Article 79 Liability	Article 79 Liability	Article 79 Liability Text Origin: Commission Proposal
Article 79(1)				
G 914	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question.	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question.	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question.	1.The EU Centre's contractual liability shall be governed by the law applicable to the contract in question. Text Origin: Commission Proposal
Article 79(2)				
G 915	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre.	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre.	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre.	2.The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the EU Centre. Text Origin: Commission Proposal
Article 79(3)				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	916	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.	3.In the case of non-contractual liability, the EU Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties. Text Origin: Commission Proposal	G
Article 79(4)						
G	917	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3.	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3.	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3.	4.The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damages referred to in paragraph 3. Text Origin: Commission Proposal	G
Article 79(5)						
G	918	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.	5.The personal liability of its staff towards the Centre shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them. Text Origin: Commission Proposal	G
Article 80						
G	919	Article 80 Administrative inquiries	Article 80 Administrative inquiries	Article 80 Administrative inquiries	Article 80 Administrative inquiries Text Origin: Commission Proposal	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 80, first paragraph				
920	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.	The activities of the EU Centre shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union. Text Origin: Commission Proposal
Article 81				
921	Article 81 Headquarters Agreement and operating conditions	Article 81 Headquarters Agreement and operating conditions	Article 81 Headquarters Agreement and operating conditions	Article 81 Headquarters Agreement and operating conditions Text Origin: Commission Proposal
Article 81(1)				
922	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director, members of the Executive Board, EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the approval of the	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director, members of the Executive Board, EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the approval of the	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director, ~~*members of the Executive Board,*~~ EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the approval of the	1.The necessary arrangements concerning the accommodation to be provided for the EU Centre in the Member State where the seat of the EU Centre is located and the facilities to be made available by that Member State, together with the specific rules applicable in that Member State to the Executive Director~~*, members of the Executive Board,*~~ ***and the*** EU Centre staff and members of their families shall be laid down in a Headquarters Agreement between the EU Centre and the Member State where the seat of the EU Centre is located, concluded after obtaining the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Executive Board and no later than [2 years after the entry into force of this Regulation].	Executive Board and no later than [2 years after the entry into force of this Regulation].	~~Executive~~ **Management** Board and no later than [2 years after the entry into force of this Regulation].	approval of the ~~Executive~~**Management** Board and no later than [2 years after the entry into force of this Regulation]. Provisionally agreed (Trilogue 26.02) Text Origin: CY PCY - drafting
Article 81(2)				
923	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections.	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections.	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections.	2.The Member State where the seat of the EU Centre is located shall provide the best possible conditions to ensure the smooth and efficient functioning of the EU Centre, including multilingual, European-oriented schooling and appropriate transport connections. Text Origin: Commission Proposal
Article 82				
924	Article 82 Start of the EU Centre's activities	Article 82 Start of the EU Centre's activities	Article 82 Start of the EU Centre's activities	Article 82 Start of the EU Centre's activities Text Origin: Commission Proposal
Article 82(1)				
925	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the Executive Board in accordance with	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the Executive Board in accordance with	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the ~~Executive~~ **Management** Board in	1.The Commission shall be responsible for the establishment and initial operation of the EU Centre until the Executive Director has taken up his or her duties following his or her appointment by the ~~Executive~~ **Management** Board in

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	Article 65(2). For that purpose:	Article 65(2). For that purpose:	accordance with Article 65(2). For that purpose:	accordance with Article 65(2). For that purpose: Text Origin: Council Mandate
Article 82(1), point (a)				
G 926	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director;	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director;	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director;	(a) the Commission may designate a Commission official to act as interim Executive Director and exercise the duties assigned to the Executive Director; Text Origin: Commission Proposal
Article 82(1), point (b)				
G 927	(b) by derogation from Article 62(2)(g) and until the adoption of a decision as referred to in Article 62(4), the interim Executive Director shall exercise the appointing authority power;	(b) by derogation from Article 62(2)(g) and until the adoption of a decision as referred to in Article 62(4), the interim Executive Director shall exercise the appointing authority power;	(b) by derogation from Article 62(2)(g) and until the adoption of a decision as referred to in Article 62(4), the interim Executive Director shall exercise the appointing authority power;	(b) by derogation from Article ~~62(2)(g)~~***57(1)(ag)*** and until the adoption of a decision as referred to in Article ~~62(4)~~***57(1)(hh)***, the interim Executive Director shall exercise the appointing authority power; Text Origin: Commission Proposal
Article 82(1), point (c)				
G 928	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director;	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director;	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials ***and national experts seconded to the Commission*** to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director;	(c) the Commission may offer assistance to the EU Centre, in particular by seconding Commission officials to carry out the activities of the EU Centre under the responsibility of the interim Executive Director or the Executive Director; Text Origin: Council Mandate

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Article 82(1), point (d)				
929	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the Executive Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan.	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the Executive Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan.	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the ~~*Executive*~~ ***Management*** Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan.	(d) the interim Executive Director may authorise all payments covered by appropriations entered in the EU Centre's budget after approval by the ~~*Executive*~~ ***Management*** Board and may conclude contracts, including staff contracts, following the adoption of the EU Centre's establishment plan. Text Origin: Council Mandate