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INFORMATION

From:	General Secretariat of the Council
To:	Working Party on Structural Measures and Outermost Regions
Subject:	Amended proposal for a Regulation on a mechanism to resolve legal and administrative obstacles in a cross-border context: COM legislative financial and digital statement

Delegations will find attached the Commission's legislative financial and digital statement for the amended proposal for a Regulation of the European Parliament and of the Council on a mechanism to resolve legal and administrative obstacles in a cross-border context ('Facilitating Cross-Border Solutions').

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1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on a Border Regions' instrument for development and growth (BRIDGEforEU)

1.2. Policy area(s) concerned

Cohesion policy

1.3. Objective(s)

1.3.1. General objective(s)

This Regulation establishes a framework to facilitate the identification and solution of cross-border obstacles that hamper the establishment and functioning of any item of infrastructure necessary for public or private cross-border activities or of any cross-border public service provided in a given cross-border region and provided it fosters economic, social and territorial cohesion in the cross-border region.

In particular it allows for Member States to create Cross-Border Coordination Points to which affected entities in border regions can send obstacles (files) for appreciation for and eventual implementation of a solution

The Regulation foresees, on its Article 12°, coordination tasks for the Commission. This Legislative Financial and Digital Statement is directly related to the implementation of those tasks. .

1.3.2. Specific objective(s)

Specific objective No 1

To set up and maintain a single EU public register of cross-border files.

Specific objective No 2

To publish and keep an updated list of all national and regional cross-border coordination points.

Specific objective No 3

To promote the exchange of experience between Member States and, in particular, between the cross-border coordination points, while supporting the enhancement of the institutional capacity in Member States necessary to implement this Regulation efficiently.

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

It is expected that the adoption of the Regulation will lead to the set-up of cross-border coordination points in several Member-States (some with more than one

point), which will cooperate at national level with competent authorities to find solutions for border obstacles

That implementation of cross-border coordination points will allow for stakeholders in border regions to have the opportunity to foster the solution of existing obstacles, thus augmenting their capacity to cross-border interactions with their neighbouring region, and thus reinforcing the Single Market

1.3.4. *Indicators of performance*

Specify the indicators for monitoring progress and achievements.

Concerning Specific Objective 1 –

Indicator 1.1 : Creation of a EU public register of cross-border files – Deployment by December 2025; Testing and final publication by June 2026.

Indicator 1.2 : Maximum time between MS transmission of information on new files and their public availability: 60 days (this indicator only applies after the publication of the register)

Concerning Specific Objective 2 –

Indicator 2.1 : Publication of the EU list of cross-border coordination points by December 2025.

Indicator 2.2 : Maximum time between MS transmission of information on cross-border coordination points and their inclusion in the public list: 60 days (this indicator only applies after the first publication of the list)

Concerning Specific Objective 3 –

Indicator 3.1: Number of meetings to which all the cross-border coordination points included in the list, are invited: at least 1 per year

1.4. **The proposal/initiative relates to:**

- a new action
- a new action following a pilot project / preparatory action¹
- the extension of an existing action
- a merger or redirection of one or more actions towards another/a new action

1.5. **Grounds for the proposal/initiative**

1.5.1. *Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative*

The REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a Border Regions' instrument for development and growth (BRIDGEforEU) will include on its Article 12 a set of coordination tasks for the Commission to perform.

¹ As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

- 1.5.2. *Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.*

Reasons for action at EU level (ex-ante): as documented in COM(2017)534, COM(2021)393, the existence of border obstacles hampers the development of border regions. Art 174° of the Treaty of the European Union states that special attention should be given to the development of those regions.

In its assessment of data between 2014-2019, the European Added Value Assessment (EAVA) study by the European Parliamentary Research Service found that removing obstacles would bring significant benefits for NUTS 3 border regions and to the entire Union economy. More precisely, a total Gross Value Added (GVA) benefit of a complete removal of legal and administrative barriers would yield around €457 billion, representing 3,8 % of total 2019 EU GVA. Removing 20 % of obstacles for all border regions, would result in a total GVA benefit of €123 billion, representing around 1% of total 2019 EU GVA, as well as total employment benefit of 1 million jobs representing around 0,5 % of total employment at Union level.

Expected generated EU added value (ex-post): the implementation of the Regulation, with the setting up of cross-border coordination points and their full functioning will allow for the solution of part of those border obstacles. As stated in COM(2021)393, border regions are living labs for European Integration. Solving border obstacles will ensure more permeability of the border for citizens living in those regions and thus fully experimenting the benefits of the single market

- 1.5.3. *Lessons learned from similar experiences in the past*

The initiative b-solutions has demonstrated on a case-by-case approach how border obstacles do hamper daily live in border regions, and how solutions to those obstacles can be implemented with the appropriate legal framework.

Taking into account a previous version of the proposal (European Cross-Border Mechanism, proposal of May 2018), the analysis of the cases implemented in b-solution show that at least one third of the obstacles could be solved with such a EU legal tool

- 1.5.4. *Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments*

Implementation of BRIDGEforEU will contribute for a more effective implemetnation of Interreg programmes.

- 1.5.5. *Assessment of the different available financing options, including scope for redeployment*

The original Commission proposal for the Regulation (december 2023) foresaw the existence of a register of cross-border files per Member State.

During negotiations of the legislative proposal, the Council required the amendment towards the existence of a single EU register of files. Consequentially there is no alternative to the implementation of the register by the Commission

1.6. Duration of the proposal/initiative and of its financial impact

limited duration

- in effect from [DD/MM]YYYY to [DD/MM]YYYY
- financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

unlimited duration

- Implementation with a start-up period from 12/2025 to 06/2026,
- followed by full-scale operation.

1.7. Method(s) of budget implementation planned²

Direct management by the Commission

- by its departments, including by its staff in the Union delegations;
- by the executive agencies

Shared management with the Member States

Indirect management by entrusting budget implementation tasks to:

- third countries or the bodies they have designated
- international organisations and their agencies (to be specified)
- the European Investment Bank and the European Investment Fund
- bodies referred to in Articles 70 and 71 of the Financial Regulation
- public law bodies
- bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees
- bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees
- bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act
- bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

² Details of budget implementation methods and references to the Financial Regulation may be found on the BUDGpedia site: <https://myintracomm.ec.europa.eu/corp/budget/financial-rules/budget-implementation/Pages/implementation-methods.aspx>.

Implementation by the Commission of:

- the register of cross-border files (deployment by 12/2025, production by 6/2026)
- the list of cross-border coordination points (publication by 12/2025)

PUBLIC

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

Member States are obliged to provide information on cross-border files at least once per year, and to provide information on the set-up (or changes of) cross-border coordination points two months after such decisions (art 4.4)

The Commission shall continuously monitor those obligations and the correct functioning of the register of files and the list of points

2.2. Management and control system(s)

2.2.1. Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

Implementation by the Commission would allow for building synergies with other tools already existing in the field of Cohesion Policy

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

There are no specific risks identified in relation to the implementation of the register

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)

There are no significant costs associated specifically to control

2.3. Measures to prevent fraud and irregularities

As implementation is by the Commission, there is no involvement of third parties, therefore the risks of fraud and irregularities are minimised

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff. ³	from EFTA countries ⁴	from candidate countries and potential candidates ⁵	From other third countries	other assigned revenue
H2a	05.0202 ERDF – Operational technical assistance	Diff./	NO	NO	NO	NO
H7	20.010201 Remuneration and allowances — Headquarters and Representation offices	Non-diff.	NO	NO	NO	NO

³ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

⁴ EFTA: European Free Trade Association.

⁵ Candidate countries and, where applicable, potential candidates from the Western Balkans.

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

- The proposal/initiative does not require the use of operational appropriations
- The proposal/initiative requires the use of operational appropriations, as explained below:

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework	Number	H2a
--------------------------------------------	--------	-----

DG: <REGIO.>			Year	Year	Year	Year	TOTAL MFF 2021-2027
			2024	2025	2026	2027	
Operational appropriations							
Budget line 05.020200	Commitments	(1b)		0.4	0.1	0.1	0.600
	Payments	(2b)		0.2	0.3	0.1	0.600
Appropriations of an administrative nature financed from the envelope of specific programmes ⁶							
Budget line		(3)					0.000
TOTAL appropriations for DG <REGIO.>	Commitments	=1a+1b+3	0.000	0.400	0.100	0.100	0.600
	Payments	=2a+2b+3	0.000	0.200	0.300	0.100	0.600

⁶ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

			Year	Year	Year	Year	TOTAL MFF 2021-2027
			2024	2025	2026	2027	
TOTAL operational appropriations	Commitments	(4)	0.000	0.400	0.100	0.100	0.600
	Payments	(5)	0.000	0.400	0.100	0.100	0.600
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <2a> of the multiannual financial framework	Commitments	=4+6	0.000	0.400	0.100	0.100	0.600
	Payments	=5+6	0.000	0.200	0.300	0.100	0.600

			Year	Year	Year	Year	TOTAL MFF 2021-2027
			2024	2025	2026	2027	
• TOTAL operational appropriations (all operational headings)	Commitments	(4)	0.000	0.400	0.100	0.100	0.600
	Payments	(5)	0.000	0.200	0.300	0.100	0.600
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations Under Heading 1 to 6 of the multiannual financial framework (Reference amount)	Commitments	=4+6	0.000	0.400	0.100	0.100	0.600
	Payments	=5+6	0.000	0.200	0.300	0.100	0.600

Heading of multiannual financial framework	7	'Administrative expenditure' ⁷
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DG: <REGIO.>		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021- 2027
• Human resources		0.000	0.094	0.188	0.188	0.470
• Other administrative expenditure		0.000	0.000	0.000	0.000	0.000
TOTAL DG <REGIO.>	Appropriations	0.000	0.094	0.188	0.188	0.470

TOTAL appropriations under HEADING 7 of the multiannual financial framework	(Total commitments = Total payments)	0.000	0.094	0.188	0.188	0.470
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EUR million (to three decimal places)

		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL appropriations under HEADINGS 1 to 7	Commitments	0.000	0.494	0.288	0.288	1.070
of the multiannual financial framework	Payments	0.000	0.294	0.488	0.288	1.070

⁷

The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

3.2.2. *Estimated output funded from operational appropriations (not to be completed for decentralised agencies)*

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ↓			Year 2024		Year 2025		Year 2026		Year 2027		Enter as many years as necessary to show the duration of the impact (see Section 1.6)						TOTAL	
	OUTPUTS																	
	Type ⁸	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total cost
SPECIFIC OBJECTIVE No 1 ⁹ ...																		
- Output																		
- Output																		
- Output																		
Subtotal for specific objective No 1																		
SPECIFIC OBJECTIVE No 2 ...																		
- Output																		
Subtotal for specific objective No 2																		
TOTALS																		

⁸ Outputs are products and services to be supplied (e.g. number of student exchanges financed, number of km of roads built, etc.).

⁹ As described in Section 1.3.2. 'Specific objective(s)'

3.2.3. Summary of estimated impact on administrative appropriations

- The proposal/initiative does not require the use of appropriations of an administrative nature
- The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATIONS	Year	Year	Year	Year	TOTAL 2021 - 2027
	2024	2025	2026	2027	
HEADING 7					
Human resources	0.000	0.094	0.188	0.188	0.470
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.094	0.188	0.188	0.470
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.094	0.188	0.188	0.470

3.2.4. Estimated requirements of human resources

- The proposal/initiative does not require the use of human resources
- The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. Financed from voted budget

Estimate to be expressed in full-time equivalent units (FTEs)¹⁰

VOTED APPROPRIATIONS	Year 2024	Year 2025	Year 2026	Year 2027
• Establishment plan posts (officials and temporary staff)				
20 01 02 01 (Headquarters and Commission's Representation Offices)	0	0.0	0	1
20 01 02 03 (EU Delegations)	0	0	0	0
01 01 01 01 (Indirect research)	0	0	0	0
01 01 01 11 (Direct research)	0	0	0	0
Other budget lines (specify)	0	0	0	0
• External staff (inFTEs)				
20 02 01 (AC, END from the 'global envelope')	0	0.5	1	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)	0	0	0	0

¹⁰ Please specify below the table how many FTEs within the number indicated are already assigned to the management of the action and/or can be redeployed within your DG and what are your net needs.

Admin. Support line [XX.01.YY.YY] - at Headquarters	0	0	0	0
- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)	0	0	0	0
01 01 01 12 (AC, END - Direct research)	0	0	0	0
Other budget lines (specify) - Heading 7	0	0	0	0
Other budget lines (specify) - Outside Heading 7	0	0	0	0
TOTAL	0	0.5	1	1

The staff required to implement the proposal (in FTEs):

	To be covered by current staff available in the Commission services	Exceptional additional staff*		
		To be financed under Heading 7 or Research	To be financed from BA line	To be financed from fees
Establishment plan posts	1 from 2027		N/A	
External staff (CA, SNEs, INT)	1 for 2025 and 2026			

Considering the overall strained situation in Heading 7, in terms of both staffing and the level of appropriations, the human resources required will be met by staff from the DG who are already assigned to the management of the action and/or have been redeployed within the DG or other Commission services.

Description of tasks to be carried out by:

Officials and temporary staff	<p>Implementing the EC obligations set out in art 12 of the BRIDGEforEU Regulation, namely:</p> <ul style="list-style-type: none"> (a) set up and maintain a single EU public register of cross-border files; (b) liaise with the cross-border coordination points; (c) support the enhancement of the institutional capacity in Member States necessary to implement this Regulation efficiently; (d) promote the exchange of experience between Member States and in particular between the cross-border coordination points; (e) publish and keep an updated list of all national and regional cross-border coordination points
External staff	An external staff (1 FTE) will assist the Commission in initiating the most urgent tasks defined above between mid 2025 and end of 2026 while waiting for the post of official or temporary staff to be created.

3.2.5. Overview of estimated impact on digital technology-related investments

Compulsory: the best estimate of the digital technology-related investments entailed by the proposal/initiative should be included in the table below.

Exceptionally, when required for the implementation of the proposal/initiative, the appropriations under Heading 7 should be presented in the designated line.

The appropriations under Headings 1-6 should be reflected as “Policy IT expenditure on operational programmes”. This expenditure refers to the operational budget to be used to re-use/ buy/ develop IT platforms/ tools directly linked to the implementation of the initiative and their associated investments (e.g. licences, studies, data storage etc). The information provided in this table should be consistent with details presented under Section 4 “Digital dimensions”.

TOTAL Digital and IT appropriations	Year	Year	Year	Year	TOTAL MFF 2021 - 2027
	2024	2025	2026	2027	
HEADING 7					
IT expenditure (corporate)	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Policy IT expenditure on operational programmes	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL					
	0.000	0.000	0.000	0.000	0.000

3.2.6. Compatibility with the current multiannual financial framework

The proposal/initiative:

- can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF)

Implementation to be covered under available Technical Assistance amounts (described in section 3.2.1.1)

- requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation

- requires a revision of the MFF

n.a

3.2.7. Third-party contributions

The proposal/initiative:

- does not provide for co-financing by third parties
- provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	Total

Specify the co-financing body					
TOTAL appropriations co-financed					

3.3. Estimated impact on revenue

- The proposal/initiative has no financial impact on revenue.
- The proposal/initiative has the following financial impact:
 - on own resources
 - on other revenue
 - please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ¹¹			
		Year 2024	Year 2025	Year 2026	Year 2027
Article					

For assigned revenue, specify the budget expenditure line(s) affected.

n.a

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

n.a

4. DIGITAL DIMENSIONS

4.1. Requirements of digital relevance

The BRIDGEforEU Regulation will include the need for the Commission to maintain a public list of Cross-Border Coordination Points, and a public register of Files. The annex to the Regulation defines the structure of data to be submitted by MS to that list and register.

Such data should be transmitted digitally by MS.

Com(2023)790 is the regulation proposal. The version of the Regulation approved in the Trilogues added the annex detailing the data structure.

4.2. Data

Data is described in detail in the annex of the Regulation to be adopted.

It consists mainly of qualitative data (eg descriptors of cross-border legal obstacles)

¹¹ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20% for collection costs.

4.3. Digital solutions

The digital solution to be implemented is yet to be decided.
It should ensure a secured environment for the yearly bulk submission of data by MS.

4.4. Interoperability assessment

Interoperability is ensured by a common structure of data as defined in the annex of the Regulation

4.5. Measures to support digital implementation

The Regulation obliges for the digital transmission of data by Member States. The principle of *Digital by Default* is thus ensured.