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Committee on Civil Liberties, Justice and Home Affairs

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AMENDMENTS

41 - 81

Draft report
Carlos Coelho
(PE440.994v01-00)

on the amended proposal for a regulation (EU) No .../2010 of the European Parliament and of the Council establishing an Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

Proposal for a regulation
(COM(2010)0093 – C7-0046/2009 – 2009/0089(COD))

AM_Com_LegReport

Amendment 41

Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data applies to the processing of personal data by the Agency. This Regulation provides, inter alia, that the European Data Protection Supervisor shall have the power to obtain from the Agency access to all information necessary for his or her enquiries.

Amendment

(15) Without prejudice to future Union legislation relating to the protection of personal data and implementing Article 16 of the Treaty on the Functioning of the European Union and Article 8 of the Charter of Fundamental Rights of the European Union, Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data applies to the processing of personal data by the Agency. This Regulation provides, inter alia, that the European Data Protection Supervisor shall have the power to obtain from the Agency access to all information necessary for his or her enquiries.

Or.en

Amendment 42

Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) If the development of SIS II fails, the implementation of an alternative solution should be subject to the adoption of a separate legal act.

Or.en

Amendment 43
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) In order to ensure the operational management of SIS II, VIS and EURODAC after the transitional period **and potentially of other information technology ("IT") systems in the area of freedom, security and justice**, it is **necessary** to establish a Management Authority.

Amendment

(4) In order to ensure the operational management of SIS II, VIS and EURODAC after the transitional period, it **would be useful** to establish a Management Authority **subject to appropriate oversight**.

Or.en

Justification

References to other IT systems can always be added later, after the establishment of the Agency and after proper evaluation of its work, the efficiency achieved, and the data protection and security experiences. Establishing such a system needs a new legislative procedure in any case. It also has not been made sufficiently clear that an IT Agency is the only solution to run the large-scale IT systems. "Necessity" is often used to hide political will. Parliament should be honest about this.

Amendment 44
Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Bearing in mind that the risk of mistakes or wrong use of personal data is likely to increase when more large-scale IT systems are entrusted to the same operational manager, the total number of managed large-scale IT systems should be limited and should be extended only after a proper evaluation of the Agency's work, an impact assessment concerning respect

for fundamental rights, data protection and security, and the adoption of a separate legal act.

Or.en

Amendment 45

Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) With a view to achieving synergies, it is necessary to provide for the operational management of these systems in one entity, benefiting from economies of scale, creating critical mass **and** ensuring the highest possible utilisation rate of capital and human resources.

Amendment

(5) With a view to achieving synergies, it is necessary to provide for the operational management of these systems in one entity, benefiting from economies of scale, creating critical mass, ensuring the highest possible utilisation rate of capital and human resources, **and ensuring the highest level of security, transparency and democratic control, and, where possible, implementing the "privacy by design" principle.**

Or.en

Amendment 46

Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Furthermore, the Agency may also be made responsible for the preparation, development and operational management of additional large-scale IT systems on the basis of a relevant legislative instrument in application of Title V of the Treaty on the Functioning of the European Union. In addition, the Agency should be responsible for monitoring of research and for pilot

Amendment

deleted

schemes for large-scale IT systems in application of Title V of the Treaty on the Functioning of the European Union, upon specific and precise request of the Commission.

Or.en

Justification

This can always be done later, after the establishment of the Agency and after proper evaluation of its work, the efficiency achieved, and the data protection and security experiences. It needs a new legislative procedure in any case.

Amendment 47

Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) To prevent the Agency from function creeping and from developing schemes in its own interest, it should be responsible for monitoring research and for pilot schemes only at the specific and precise request of the European Parliament, the Commission or the European Data Protection Supervisor and only within the framework of the large-scale IT systems which it is already in charge of.

Or.en

Amendment 48

Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation

Recital 13

Text proposed by the Commission

Amendment

(13) Within the framework of their respective competences, the Agency should

(13) Within the framework of their respective competences, the Agency should

cooperate with other agencies of the European Union, especially agencies established in the area of freedom, security and justice.

cooperate with other agencies of the European Union, especially agencies established in the area of freedom, security and justice *and, in particular, those concerned with the defence of fundamental rights*.

Or.en

Amendment 49
Ágnes Hankiss

Proposal for a regulation
Article 1

Text proposed by the Commission

A European Agency ("the Agency") for the operational management of the second-generation Schengen Information System (SIS II), the Visa Information System (VIS), EURODAC and for developing and managing other large-scale information technology ("IT") systems, in application of Title V of the Treaty on the Functioning of the European Union is hereby established.

Amendment

A European Agency ("the Agency") for the operational management of the second-generation Schengen Information System (SIS II), the Visa Information System (VIS), EURODAC and for developing and managing other large-scale information technology ("IT") systems ("**EURO-IT**"), in application of Title V of the Treaty on the Functioning of the European Union is hereby established.

Or.en

Justification

The Agency, as most other agencies of the European Union, shall have a name which reflects its profile, easily recognisable and easy to refer to in both oral and written form.

Amendment 50
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 1

Text proposed by the Commission

A European Agency ("the Agency") for the operational management of the second-

Amendment

A European Agency ("the Agency") for the operational management of the second-

generation Schengen Information System (SIS II), the Visa Information System (VIS), EURODAC *and for developing and managing other large-scale information technology ("IT") systems*, in application of Title V of the Treaty on the Functioning of the European Union is hereby established.

generation Schengen Information System (SIS II), the Visa Information System (VIS), EURODAC, in application of Title V of the Treaty on the Functioning of the European Union is hereby established.

Or.en

Amendment 51

Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation

Article 1 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Operational management shall consist of all the tasks necessary to keep the large-scale IT systems referred to in the first paragraph functioning in accordance with the specific provisions applicable to each of those IT systems, including responsibility for the communication infrastructure used by the IT systems. There shall be by no means the possibility of interoperability between those large-scale IT systems.

Or.en

Amendment 52

Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation

Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1a

Objectives of the Agency

Without prejudice to the respective responsibilities of the Commission and of the Member States under the instruments governing the IT systems referred to in

Article 1, the Agency shall ensure:

– the implementation of effective and secure operation, and the continuous, efficient and financially accountable management, of the IT systems referred to in Article 1;

– a high-level quality of service for users of those IT systems;

– continuity and uninterrupted service;

– a high level of data protection, in accordance with the applicable rules, including specific provisions for each IT system referred to in Article 1;

– a high level of physical security and data integrity and security, in accordance with the applicable rules, including specific provisions for each IT system, as referred to in Article 1;

– the use of a professional project management structure for the efficient development of large-scale IT systems.

Or.en

Amendment 53
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

The Agency shall not have the task of interconnecting these IT systems or other IT systems which contain personal data.

Or.en

Amendment 54
Sylvie Guillaume

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. The Agency shall monitor the developments in research relevant for the operational management of SIS II, VIS, EURODAC **and other large-scale IT systems** in application of Title V of the Treaty on the Functioning of the European Union.

Amendment

1. The Agency shall monitor the developments in research relevant for the operational management of SIS II, VIS, EURODAC in application of Title V of the Treaty on the Functioning of the European Union.

Or.fr

Amendment 55
Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. **Upon** specific and precise request of the Commission, the Agency **shall** implement pilot schemes **for the development and/or the operational management of large-scale IT systems**, in application of Title V of the Treaty on the Functioning of the European Union.

Amendment

1. **Only at the** specific and precise request of the **European Parliament, the Commission or the European Data Protection Supervisor, and after informing the Council at least three months in advance**, the Agency **may** implement pilot schemes **as referred to in Article 49(6), point (a), of Regulation (EC, Euratom) No 1605/2002, but only within the framework of the large-scale IT systems of which it is already in charge**, in application of Title V of the Treaty on the Functioning of the European Union.

1a. The European Parliament, the Council and the European Data Protection Supervisor shall be consulted when proposals are drawn up for the further development of those pilot schemes.

Amendment 56
Alexander Alvaro

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. **Upon** specific and precise request of the Commission, the Agency **shall** implement pilot schemes for the development and/or the operational management of large-scale IT systems, in application of Title V of the Treaty on the Functioning of the European Union.

Amendment

1. **Only at the** specific and precise request of the Commission **and after obtaining consent from the European Parliament and the Council**, the Agency **may** implement pilot schemes **as referred to in Article 49(6), point (a), of Regulation (EC, Euratom) No 1605/2002**, for the development and/or the operational management of large-scale IT systems, in application of Title V of the Treaty on the Functioning of the European Union. **The European Parliament, the Council and the European Data Protection Supervisor shall be kept regularly informed of progress in the development of those pilot schemes.**

Amendment 57
Jan Philipp Albrecht

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. **Upon** specific and precise request of the Commission, the Agency **shall** implement pilot schemes for the development and/or the operational management of large-scale IT systems, in application of Title V of the Treaty on the Functioning of the European Union.

Amendment

1. **Only at the** specific and precise request of the Commission **or the European Data Protection Supervisor and only after having informed the European Parliament and the Council at least three months in advance**, the Agency **may** implement pilot schemes **as referred to in Article 49(6), point (a), of Regulation (EC, Euratom) No 1605/2002**, for the development and/or the operational

management of large-scale IT systems, in application of Title V of the Treaty on the Functioning of the European Union.

The European Parliament, the Council and the European Data Protection Supervisor shall be kept regularly informed of progress in the development of those pilot schemes.

Or.en

Amendment 58
Alexander Alvaro

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The seat of the Agency shall be [...]

Amendment

4. The seat of the Agency shall be [...]. ***The host Member State shall ensure that the Agency benefits from attractive conditions in respect of the accommodation to be provided to the Agency and the rules applicable to staff and members of the Agency's governing bodies, to be set out in a Headquarters Agreement. In order to ensure the best possible long-term functioning of the Agency, a cost-benefit assessment shall precede the conclusion of the Headquarters Agreement. Particular account shall be taken of a Member State's willingness and ability to provide its own resources to host the Agency in such a way as to ensure its smooth establishment and operation.***

Or.en

Amendment 59
Ágnes Hankiss

Proposal for a regulation
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The seat of the Agency shall respect the following requirements:

(a) it shall be situated in a single building dedicated exclusively to the Agency, which is owned or rented by the Agency itself;

(b) it shall ensure the highest standards of physical and data security;

(c) it shall provide the most cost-effective solutions;

(d) it shall be selected primarily on the basis of the available interconnection capabilities.

Or.en

Justification

These requirements are crucial for cost-effective and secure operations. The circumstances defining the founding, through this very regulation, has a very serious impact on the mid-term and long-term future of the European Union's critical IT systems hence security and technical requirements shall prevail over important, but in this case, definitely secondary political considerations.

Amendment 60
Ágnes Hankiss

Proposal for a regulation
Article 7 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. A second location shall be maintained for the purposes of running a backup IT centre hosting backup continuity units of the IT systems managed by the Agency.

Or.en

Justification

One physical location for the Agency is not ideal as there is a need for redundancy. Although

the seat shall obviously be equipped and protected on the highest possible standards, any unforeseen event (extreme weather conditions, serious energy supply issues, bomb or terrorist threat, etc.) may force to have its operations taken over by a fully independent, remote, second mirror site. The second location shall have specific requirements that are partly different from that of the Agency's seat.

Amendment 61
Ágnes Hankiss

Proposal for a regulation
Article 7 – paragraph 4 c (new)

Text proposed by the Commission

Amendment

4c. The second location shall respect the following requirements:

- (a) it shall be located in a Member State other than that in which the seat of the Agency is located or one of its neighbouring Member States;***
- (b) in the event of an emergency, it shall automatically take over full operation of the systems operated by the Agency related to the seat of the Agency and shall host the Agency's staff required to be present;***
- (c) its whereabouts shall be at an undisclosed location to be kept confidential except for the name of the host Member State;***
- (d) it shall not share the same interconnections with the seat;***
- (e) it shall comply with all the requirements referred to in paragraph 4a.***

Or.en

Justification

Mission-critical large-scale IT systems of international relevance operate at geographically diverse locations. A well-known example is SWIFT, which stores all its European data in the Netherlands and Switzerland, mirroring the databases. The highest possible security with regards to the Agency requires keeping the second location in full confidence in order to minimize the risks. Having the same interconnection at both sites would neutralize the

advantages of redundancy.

Amendment 62
Ágnes Hankiss

Proposal for a regulation
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Agency shall also comprise:

(a) a Data Protection Officer;

(b) a Security Officer;

(c) an Information Security Officer; and

(d) an Accounting Officer.

Or.en

Justification

Key positions shall be listed in order of their importance. It is important to note that a (chief) Information Security Officer as a position shall be separated from a general Security Officer who shall only be responsible for the security related to facilities and personnel but not IT as that is a completely different field of expertise.

Amendment 63
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 9 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) before 30 September each year, and after receiving the opinion of the Commission, adopt by a two-thirds majority of its members with the right to vote, and in accordance with the annual Union budgetary procedure and the Union legislative programme in areas of Title V of the Treaty on the Functioning of the European Union, the Agency's annual work programme for the coming year; and

(i) before 30 September each year, and after receiving the opinion of the Commission, adopt by a two-thirds majority of its members with the right to vote, and in accordance with the annual Union budgetary procedure and the Union legislative programme in areas of Title V of the Treaty on the Functioning of the European Union, the Agency's annual work programme for the coming year; and

ensure that the adopted work programme is forwarded to the European Parliament, the Council *and* the Commission and published;

ensure that the adopted work programme is forwarded to the European Parliament, the Council, the Commission and *the European Data Protection Supervisor, and that it is* published;

Or.en

Amendment 64
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 9 – paragraph 1 – point j

Text proposed by the Commission

(j) before 31 March each year, adopt the Agency's annual activity report for the previous year and transmit it by 15 June at the latest to the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors; the annual activity report shall be published;

Amendment

(j) before 31 March each year, adopt the Agency's annual activity report for the previous year and transmit it by 15 June at the latest to the European Parliament, the Council, the Commission, the European **Data Protection Supervisor, the European** Economic and Social Committee and the Court of Auditors; the annual activity report shall be published;

Or.en

Amendment 65
Ágnes Hankiss

Proposal for a regulation
Article 9 – paragraph 1 – point n

Text proposed by the Commission

(n) adopt the necessary security measures, including a security plan;

Amendment

(n) adopt the necessary security measures, including a security plan, **an information security plan, and a business continuity and disaster recovery plan;**

Or.en

Justification

While a security plan is a set of measures dealing with the related facilities and personnel, a

designated information security plan is required especially that the Agency's staff will operate three different systems. Business continuity and disaster recovery are the cornerstones of the operations of the Agency hence the direct listing of the need for creation of such plans is important.

Amendment 66
Alexander Alvaro

Proposal for a regulation
Article 9 – paragraph 1 – point n

Text proposed by the Commission

(n) adopt the necessary security measures, including a security plan;

Amendment

(n) adopt the necessary security measures, including a security plan, **and consult the relevant authorities (e.g. the European Network and Information Security Agency ("ENISA")) regarding, in particular, network security;**

Or.en

Amendment 67
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The members of the Management Board shall be appointed on the basis of their high level relevant experience and expertise in the field of large-scale IT systems in the area of freedom, security and justice.

Amendment

3. The members of the Management Board shall be appointed on the basis of their high level relevant experience and expertise in the field of large-scale IT systems in the area of freedom, security and justice, **and in the field of data protection.**

Or.en

Amendment 68
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The European Data Protection Supervisor shall be granted observer status at the meetings of the Management Board.

Or.en

Amendment 69

Ágnes Hankiss

Proposal for a regulation

Article 12 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. ENISA shall be granted observer status at the meetings of the Management Board.

Or.en

Justification

In order to increase synergies on a European scale, the knowledge base, expertise and experience of the European Network and Information Security Agency as a sister expert agency shall be leveraged. This observer/advisory status shall be in line with Regulation (EC) 460/2004 establishing ENISA.

Amendment 70

Ágnes Hankiss

Proposal for a regulation

Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Without prejudice to paragraph 2, the Executive Director shall seek the advice of ENISA relating to issues within its areas of expertise.

Or.en

Justification

ENISA's expertise shall be used by the Agency in order to increase synergy between the agencies and to save costs. The areas of expertise includes issues related to privacy and data protection, risk management and risk assessment, security policy and planning, incident handling and management, business continuity and disaster recovery. ENISA is confirmed to cooperate with the new Agency on these areas.

Amendment 71
Sylvie Guillaume

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

4. The European Parliament *or* the Council may invite the Executive Director *of the Agency* to report on the implementation of his/her tasks.

Amendment

4. The ***Executive Director shall report regularly to the*** European Parliament ***on the implementation of his/her tasks.*** The Council may invite the Executive Director to report ***to it*** on the implementation of his/her tasks.

Or.fr

Amendment 72
Ágnes Hankiss

Proposal for a regulation
Article 14 – paragraph 6 – point g

Text proposed by the Commission

(g) the necessary security measures including a security plan;

Amendment

(g) the necessary security measures including a security plan, ***an information security plan, and a business continuity and disaster recovery plan;***

Or.en

Justification

In line with the amendment related to Article 9, paragraph 1, point n.

Amendment 73
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. The Executive Director of the Agency shall be appointed by the Management Board, *from a list of candidates proposed by the Commission*, for a period of five years.

Amendment

1. The Executive Director of the Agency shall be appointed by the Management Board for a period of five years *from among the suitable candidates identified in an open competition organised by the Commission. That selection procedure shall provide for publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest. The Management Board may require a new procedure to be initiated if it is not satisfied with the suitability of any of the candidates retained in the first list. The Executive Director shall be appointed on the basis of his or her personal merits, experience in the field of large-scale IT systems, experience in the field of data protection, and administrative and management skills.*

Or.en

Amendment 74
Jan Philipp Albrecht, Cornelia Ernst

Proposal for a regulation
Article 16 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The European Data Protection Supervisor may appoint a representative to each of the Advisory Groups referred to in paragraph 1.

Or.en

Amendment 75
Ágnes Hankiss

Proposal for a regulation
Article 16 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. ENISA may appoint one representative to each of the Advisory Groups referred to in paragraph 1.

Or.en

Justification

Seeking advice from the European Network and Information Security Agency shall ensure a holistic approach to the information security of all the systems operated by the Agency and help leveraging the related available EU-funded resources.

Amendment 76
Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

Amendment

2. The Agency shall also apply the security principles relating to the processing of non-classified sensitive information as adopted and implemented by the European Commission.

2. The Agency shall also apply the security principles relating to the processing of non-classified sensitive information as adopted and implemented by the European Commission. ***In addition, the Agency shall apply the security principles and relevant provisions of the legal instruments concerning the three large-scale IT systems SIS II, VIS and EURODAC.***

Or.en

Amendment 77
Jan Philipp Albrecht, Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat

Proposal for a regulation
Article 27 – paragraph 1

Text proposed by the Commission

1. Within **three** years from the date of the Agency having taken up its responsibilities, and every **five** years thereafter, the Management Board shall commission an independent external evaluation of the implementation of this Regulation on the basis of terms of reference issued by the Management Board after consultation with the Commission.

Amendment

1. Within **two** years from the date of the Agency having taken up its responsibilities, and every **three** years thereafter, the Management Board shall commission an independent external evaluation of the implementation of this Regulation on the basis of terms of reference issued by the Management Board after consultation with the **European Parliament, the Council, the Commission and the European Data Protection Supervisor**.

Or.en

Amendment 78
Sylvie Guillaume

Proposal for a regulation
Article 27 – paragraph 1

Text proposed by the Commission

1. Within three years from the date of the Agency having taken up its responsibilities, and every **five** years thereafter, the Management Board shall commission an independent external evaluation of the implementation of this Regulation on the basis of terms of reference issued by the Management Board after consultation with the Commission.

Amendment

1. Within three years from the date of the Agency having taken up its responsibilities, and every **three** years thereafter, the Management Board shall commission an independent external evaluation of the implementation of this Regulation on the basis of terms of reference issued by the Management Board after consultation with the Commission.

Or.fr

Amendment 79
Cornelia Ernst, Rui Tavares, Marie-Christine Vergiat, Jan Philipp Albrecht

Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission

2. The evaluation shall assess the utility, relevance and effectiveness of the Agency and its working practices. The evaluation shall take into account the views of stakeholders, at both European and national level.

Amendment

2. The evaluation shall assess the utility, relevance and effectiveness of the Agency and its working practices. ***It shall also assess the protection of data, data security and respect for fundamental rights.*** The evaluation shall take into account the views of stakeholders, ***including parliaments and data protection supervisors,*** at both European and national level.

Or.en

Amendment 80

Jan Philipp Albrecht, Cornelia Ernst

**Proposal for a regulation
Article 27 – paragraph 3**

Text proposed by the Commission

3. The Management Board shall receive the evaluation and issue recommendations regarding changes to this Regulation, the Agency and its working practices to the Commission, which shall forward them, together with its own opinion as well as appropriate proposals, to the Council ***and*** the European Parliament. An action plan with a timetable shall be included, if appropriate. Both the evaluation and the recommendations shall be made public.

Amendment

3. The Management Board shall receive the evaluation and issue recommendations regarding changes to this Regulation, the Agency and its working practices to the Commission, which shall forward them, together with its own opinion as well as appropriate proposals, to the Council, the European Parliament ***and the European Data Protection Supervisor.*** An action plan with a timetable shall be included, if appropriate. Both the evaluation and the recommendations shall be made public.

Or.en

Amendment 81

Sylvie Guillaume

**Proposal for a regulation
Article 27 – paragraph 3**

Not applicable to the English version

Or.fr