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*Committee on the Environment, Public Health and Food Safety*

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**2011/0299(COD)**

6.2.2012

## **DRAFT OPINION**

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council on guidelines for trans European telecommunications networks and repealing Decision No 1336/97/EC (COM(2011/0657) – C7-0373/2011 – 2011/0299(COD))

Rapporteur: Oreste Rossi

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## SHORT JUSTIFICATION

The purpose of this Regulation is to establish, in the context of the Connecting Europe Facility, which forms part of the Europe 2020 strategy, a series of guidelines covering the objectives and priorities for broadband networks and digital service infrastructures in the field of telecommunications.

The regulation identifies projects of common interest for the deployment of broadband networks and digital service infrastructures, aimed at improving the competitiveness of the European economy, promoting the interconnection and interoperability of national networks and supporting the development of a Digital Single Market, in addition to helping reduce greenhouse gas emissions and protect the environment.

The establishment of cross-border access to a digital public service interoperable infrastructure is an area where the EU can contribute high added value. Such public administration services include the cross-border delivery of eHealth services, which is particularly relevant to the remit of the Committee on the Environment, Public Health and Food Safety.

Interoperable cross-border eHealth services would allow interaction between citizens and health operators, data transfers between institutions, access to electronic health records and electronic prescription services and remote health/assisted living tele-services. eHealth services would help improve patient safety, reduce medical costs, modernise national healthcare systems and increase their efficiency.

The rapporteur agrees and endorses the Commission proposal and, at the same time, wishes to put forward a number of amendments to make the projects of common interest in the field of electronic public administration more effective.

Interoperable cross-border eHealth services, in particular, should provide for health and hospital services to adopt a harmonised standard for electronic data and document presentation, including codification systems common to the Member States to establish a standard terminology for individual health services. A common minimum set of electronic data and documents should also be established as the basic record for patients covered by interoperable eHealth services (e.g. blood factor, anamnesis, discharge letters, etc.).

More generally, it is to be hoped that electronic public administration projects will result in a single European identification code which ordinary citizens and businesses can use in their relations with public administration services in all Member States.

Lastly, the rapporteur considers that the annex to the proposal for a regulation, which describes in detail the projects of common interest for the deployment of broadband networks and digital service infrastructures forms an integral and essential part of the scope of the legislative proposal. He therefore considers that the Commission should not be given the power to adopt delegated acts to amend the content of the annex, but that the ordinary legislative procedure would be more appropriate for this purpose.

## AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Industry, Research and Energy, as the committee responsible, to incorporate the following amendments in its report:

### Amendment 1

#### Proposal for a regulation

#### Recital 21

##### *Text proposed by the Commission*

(21) In order to take into account the developments in the areas of information and communication technologies, ***the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending*** the Annex to this Regulation. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The objective of this ***delegation*** is to address new technological and market developments, emerging political priorities or opportunities for exploiting synergies between different infrastructures, including those in the fields of Transport and Energy. ***The scope of delegation is limited to modifying*** the description of projects of common interest, adding a project of common interest or removing an obsolete project of common interest according to pre-established, clear and transparent criteria.

##### *Amendment*

(21) In order to take into account the developments in the areas of information and communication technologies, the Commission ***should carry out a periodic assessment of*** the Annex to this Regulation. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The objective of this ***assessment*** is to address new technological and market developments, emerging political priorities or opportunities for exploiting synergies between different infrastructures, including those in the fields of Transport and Energy. ***Where the Commission deems it appropriate, it may submit a legislative proposal to modify*** the description of projects of common interest, adding a project of common interest or removing an obsolete project of common interest according to pre-established, clear and transparent criteria.

Or. it

##### *Justification*

*The description of projects of common interest set out in the annex to the proposal for a regulation forms an integral and essential part of the scope of the legislative proposal. Any modifications thereto should therefore be made through the ordinary legislative procedure: this amendment, together with the amendments to recital 22 and Articles 5 and 8, therefore*

*removes the provision conferring on the Commission the power to adopt delegated acts.*

## **Amendment 2**

### **Proposal for a regulation**

#### **Recital 22**

*Text proposed by the Commission*

*Amendment*

***(22) The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.***

***deleted***

Or. it

## **Amendment 3**

### **Proposal for a regulation**

#### **Article 4 – point d**

*Text proposed by the Commission*

*Amendment*

(d) actions allowing to achieve synergies and interoperability between different projects of common interest in the field of Telecommunications, between projects of common interest concerning different types of infrastructures, ***including Transport and Energy***, between projects of common interest in the field of Telecommunications and projects supported by the Structural and Cohesion funds, as well as relevant research infrastructures.

(d) actions allowing to achieve synergies and interoperability between different projects of common interest in the field of Telecommunications, between projects of common interest concerning different types of infrastructures, between projects of common interest in the field of Telecommunications and projects supported by the Structural and Cohesion funds, as well as relevant research infrastructures.

Or. it

#### *Justification*

*There is no need to specify the types of infrastructure any further in the general description.*

## Amendment 4

### Proposal for a regulation Article 5 – paragraph 6

*Text proposed by the Commission*

6. The Commission **shall be empowered to adopt delegated acts modifying** the description of projects of common interest included in the Annex, **adding** new projects of common interest to the Annex, or **removing** obsolete projects of common interest from the Annex, **in accordance with paragraphs 7, 8 and 9 below and in accordance with Article 8.**

*Amendment*

6. **Where** the Commission **considers it necessary, in the light of the evaluation reports referred to in Article 7, to modify** the description of projects of common interest included in the Annex, **add** new projects of common interest to the Annex, or **remove** obsolete projects of common interest from the Annex, **it shall submit a legislative proposal to the European Parliament and the Council.**

Or. it

## Amendment 5

### Proposal for a regulation Article 5 – paragraph 7

*Text proposed by the Commission*

7. **While adopting the delegated act referred to in paragraph 6 above, the Commission shall assess whether modifying the description of project of common interest or adding a new project of common interest responds to the needs arising from:**

**(a) new technological and market developments; or**

**(b) emerging political priorities; or**

**(c) new opportunities for exploiting synergies between different infrastructures, including those in the field of Transport and Energy.**

*Amendment*

**deleted**

Or. it

## Amendment 6

### Proposal for a regulation Article 5 – paragraph 8

*Text proposed by the Commission*

*Amendment*

**8. In addition to the criteria established in paragraph 7, if the delegated act concerns adding a new project of common interest the Commission shall also assess whether such project meets cumulatively the following criteria:** *deleted*

**(a) contributes to the achievement of the objectives set out in Article 2;**

**(b) is based on mature technology ready for deployment;**

**(c) demonstrates European added value.**

Or. it

## Amendment 7

### Proposal for a regulation Article 5 – paragraph 9

*Text proposed by the Commission*

*Amendment*

**9. While adopting a delegated act removing an obsolete project of common interest from Annex, the Commission shall assess whether such project no longer responds to the needs set out in paragraph 7 or no longer meets the criteria set out in paragraph 8.** *deleted*

Or. it

## Amendment 8

### Proposal for a regulation Article 7 – paragraph 4

*Text proposed by the Commission*

4. In these reports the Commission shall also evaluate whether the scope of the projects of common interest continues to reflect political priorities, technological developments or the situation in the relevant markets. For major projects, these reports shall include an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience. Such a review may also be carried out at any other time when it is deemed appropriate.

*Amendment*

4. In these reports the Commission shall also evaluate whether the scope of the projects of common interest continues to reflect political priorities, technological developments or the situation in the relevant markets. For major projects, these reports shall include an analysis of the environmental impact, taking into account, **where appropriate**, climate change adaptation and mitigation needs, and disaster resilience. Such a review may also be carried out at any other time when it is deemed appropriate.

Or. it

## Amendment 9

### Proposal for a regulation Article 8

*Text proposed by the Commission*

#### *Article 8*

##### *Exercise of the delegation*

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 2. The delegation of power referred to in the Articles 5(6) shall be conferred on the Commission for an indeterminate period of time from the date of the entry into force of this Regulation.***
- 3. The delegation of power referred to in Article 5(6) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power***

*Amendment*

***deleted***



*specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.*

*4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.*

*5. A delegated act adopted pursuant to Article 5(6) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.*

Or. it

## **Amendment 10**

### **Proposal for a regulation Article 10 – paragraph 2**

*Text proposed by the Commission*

It shall apply from *1 January 2014*.

*Amendment*

It shall apply from ... \*.

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*\* OJ please insert date: two years from the entry into force of this Regulation.*

Or. it

### *Justification*

*Given that this regulation is linked to the Regulation establishing the Connecting Europe Facility, it would not be appropriate to indicate a set date of application that does not take account of the time required for approval of the various regulations.*

## **Amendment 11**

### **Proposal for a regulation Annex – paragraph 2**

#### *Text proposed by the Commission*

The deployment and enhancement of trans-European telecommunication networks (broadband networks and digital service infrastructures) shall contribute to fostering economic growth, creating jobs and achieving a vibrant digital single market. In particular, their deployment will grant faster access to the internet, bring about information technology-enabled improvements in daily life for citizens, ***including children and young persons***, businesses and governments, increase interoperability and facilitate the alignment or convergence to commonly agreed standards.

#### *Amendment*

The deployment and enhancement of trans-European telecommunication networks (broadband networks and digital service infrastructures) shall contribute to fostering economic growth, creating jobs and achieving a vibrant digital single market. In particular, their deployment will grant faster access to the internet, bring about information technology-enabled improvements in daily life for citizens, businesses and governments, increase interoperability and facilitate the alignment or convergence to commonly agreed standards.

Or. it

### *Justification*

*The deployment of trans-European networks should be for the benefit of all citizens. It is therefore superfluous to mention specific categories.*

## **Amendment 12**

### **Proposal for a regulation Annex – section 3 – title 2 – paragraph 2**

#### *Text proposed by the Commission*

Interoperable electronic identification and authentication across Europe. A set of connected and secured authentication

#### *Amendment*

Interoperable electronic identification and authentication across Europe. A set of connected and secured authentication

servers and protocols that ensure interoperability of the variety of authentication and identification and authorization systems that exist in Europe will be deployed. This platform will enable citizens and businesses to access online services when needed for example to study, work, travel, get health care or do business abroad. It will constitute the core layer for all those digital services for which electronic identification and authentication are needed: e.g. electronic procurement, online health services, standardised business reporting, electronic exchange of judicial information, trans-European online company registration, e-Government services for businesses, including communication between business registers relating to cross-border mergers and foreign branches. This platform may also use resources and tools of the multilingual core platform.

servers and protocols that ensure interoperability of the variety of authentication and identification and authorization systems that exist in Europe will be deployed, ***with the ultimate aim of establishing a single European identification code for natural and legal persons for public administration purposes.*** This platform will enable citizens and businesses to access online services when needed for example to study, work, travel, get health care or do business abroad. It will constitute the core layer for all those digital services for which electronic identification and authentication are needed: e.g. electronic procurement, online health services, standardised business reporting, electronic exchange of judicial information, trans-European online company registration, e-Government services for businesses, including communication between business registers relating to cross-border mergers and foreign branches. This platform may also use resources and tools of the multilingual core platform.

Or. it

### *Justification*

*The establishment of a single European identification code for online services, which can be used by all citizens and businesses in every Member State, would make relations with the public administration significantly easier and provide a more effective guarantee of genuine interoperability.*

## **Amendment 13**

### **Proposal for a regulation**

#### **Annex – section 3 – title 2 – point d – paragraph 1**

##### *Text proposed by the Commission*

(d) Interoperable cross border eHealth services: These services will enable the interaction between citizens/patients and

##### *Amendment*

(d) Interoperable cross border eHealth services: These services will enable the interaction between citizens/patients and

health care providers, institution-to-institution and organization-to-organization transmission of data, or peer-to-peer communication between citizens/patients and/or health professionals and institutions. The infrastructure to be deployed will comply with the principles of data protection as set out, in particular, in Directives 95/46/EC and 2002/58/EC, as well as with international and national ethical rules related to the use of patient health records and other personal data.

health care providers, institution-to-institution and organization-to-organization transmission of data, or peer-to-peer communication between citizens/patients and/or health professionals and institutions. The infrastructure to be deployed will: ***provide for adoption of a harmonised standard for the presentation of data and documents produced within the information systems of health and hospital facilities; establish a common minimum set of electronic data and documents as the basic record for patients covered by interoperable cross-border eHealth services***; comply with the principles of data protection as set out, in particular, in Directives 95/46/EC and 2002/58/EC, as well as with international and national ethical rules related to the use of patient health records and other personal data.

Or. it

#### *Justification*

*To enable the eHealth service to operate effectively, a 'European health record' should be adopted, using a single data presentation standard and, in particular, clearly indicating the data which will form the patient's basic record (e.g. blood factor, anamnesis, discharge letters following recovery, emergency service reports, etc.).*

#### **Amendment 14**

##### **Proposal for a regulation**

##### **Annex – section 3 – title 2 – point d – paragraph 2**

###### *Text proposed by the Commission*

The services will comprise cross border access to electronic health records and electronic prescription services as well as remote health/assisted living tele-services, cross border multi lingual semantic services linked to the multilingual core platform, access to social security information building on the EESSI

###### *Amendment*

The services will comprise cross border access to electronic health records and electronic prescription services as well as remote health/assisted living tele-services, cross border multi lingual semantic services ***with common codification systems*** linked to the multilingual core platform, access to social security

(Electronic Exchange of Social Security Information) infrastructure, etc.

information building on the EESSI (Electronic Exchange of Social Security Information) infrastructure, etc.

Or. it

*Justification*

*It is important to specify that cross-border multilingual services must adopt codification systems that are common to the Member States in order to establish harmonised terminology to refer to individual health services (e.g. relating to laboratory analyses, pathological anatomy, radiology, etc.).*