



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Legal Affairs

2012/2030(INI)

27.6.2012

AMENDMENTS

1 - 18

Draft opinion
Angelika Niebler
(PE491.093v01-00)

Completing the Digital Single Market
(2012/2030(INI))

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PE492.698v01-00

AM_Com_NonLegOpinion

Amendment 1
Cecilia Wikström

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Believes that the commission should focus more on presenting actual legislative proposals as opposed to numerous framework documents listing measures that have already been awaited and often postponed for several years;

Or. en

Amendment 2
Christian Engström, Eva Lichtenberger

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Is of the opinion that a full harmonisation of exceptions and limitations to copyright is a prerequisite for the completion of the digital single market;

Or. en

Amendment 3
Cecilia Wikström

Draft opinion
Paragraph 1 b (new)

Draft opinion

Amendment

1b. Believes that an increased use of regulations instead of directives to

regulate important aspects of the internal market would reduce the problems caused by incorrect or fragmented implementation of EU directives in national legislation, in this respect also recalls that correlation tables should always be included in directives relating to the internal market;

Or. en

Amendment 4

Sajjad Karim

Draft opinion

Paragraph 2

Draft opinion

2. Believes that the recently proposed regulation on a Common European Sales Law, which can be agreed on by contracting parties as an alternative to national sales law regulations, ***has great potential in countering*** the fragmentation of the single market and ***making*** internet business more accessible and legally reliable ***for consumers and businesses alike***;

Amendment

2. Believes that the recently proposed regulation on a Common European Sales Law, which can be agreed on by contracting parties as an alternative to national sales law regulations, ***will not address the root causes of*** fragmentation ***and dissatisfaction with the operation of the digital*** single market; ***considers that traders and consumers would feel*** internet business ***to be*** more ***attractive***, accessible and legally reliable ***if other alternative proposals are adopted, in particular those on ADR and ODR***;

Or. en

Amendment 5

Piotr Borys, Jean-Marie Cavada

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. Calls on the Commission to propose

the application of a reduced rate of VAT to online cultural goods and services in order to encourage the development of legal offers;

Or. fr

Amendment 6
Angelika Niebler

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Suggests that cultural works sold online, such as digital books, should be subject to the same VAT rate as comparable products in traditional form, such as paperbacks; considers, in this context, that the application of the reduced VAT rate for digital publications could significantly boost the attractiveness of digital platforms;

Or. de

Amendment 7
Cecilia Wikström

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Considers that digital books and audiobooks for download on the Internet, digital books and audiobooks on a different physical means of support and physical books and audiobooks should all benefit from the same preferential treatment with regards to reduced VAT-rates, in this respect welcomes the decision of France and Luxembourg to introduce the same VAT rate for all these

types of books;

Or. en

Amendment 8
Cecilia Wikström

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. Calls on the commission, in the interest of non-discrimination of goods and services of a particular type, to urgently clarify that it will not bring any legal actions towards member states that decide to introduce the same reduced VAT rates for downloadable digital books and audiobooks as on comparable products on a different physical means of support and in this respect considers the intentions of the commission to come back with a proposal on this topic by the end of 2013 to be completely inadequate;

Or. en

Amendment 9
Cecilia Wikström

Draft opinion
Paragraph 2 c (new)

Draft opinion

Amendment

2c. Looks forward to the prompt adoption by the Commission of the review of the European Trademark System as a this is a crucial building block for a well functioning internal market;

Or. en

Amendment 10

Piotr Borys, Jean-Marie Cavada

Draft opinion

Paragraph 3

Draft opinion

3. Awaits with anticipation the proposal for a legal framework for the collective administration of copyrights; calls on the Commission not to defer the submission yet again;

Amendment

3. Awaits with anticipation the proposal for a legal framework for the collective administration of copyrights ***with a view to ensuring better accountability, transparency and governance of collective rights management societies, establishing efficient dispute resolution mechanisms, and clarifying and simplifying licensing systems in the music sector***; calls on the Commission not to defer the submission yet again;

Or. fr

Amendment 11

Christian Engström, Eva Lichtenberger

Draft opinion

Paragraph 4

Draft opinion

4. Considers clear and understandable information for internet users about which personal data is to be gathered, for what purpose and for how long to be essential in strengthening users' rights and bolstering their confidence in the internet; emphasises that legal certainty and clarity and a very high level of data protection must be assured when revising the acquis of data protection; welcomes the announcement of a general European strategy on the issue of cloud computing for 2012 and, in particular, expects questions ***of*** data protection and areas of responsibility to be

Amendment

4. Considers clear and understandable information for internet users about which personal data is to be gathered, for what purpose and for how long to be essential in strengthening users' rights and bolstering their confidence in the internet; emphasises that legal certainty and clarity and a very high level of data protection must be assured when revising the acquis of data protection; welcomes the announcement of a general European strategy on the issue of cloud computing for 2012 and, in particular, expects questions ***on jurisdiction***, data protection and areas of

clarified in this regard;

responsibility to be clarified in this regard;

Or. en

Amendment 12

Christian Engström, Eva Lichtenberger

Draft opinion

Paragraph 5

Draft opinion

5. Requests clarification that internet service providers are obliged to adhere to EU data protection law and EU competition law and to comply with ***intellectual property rights protection*** when gathering data within the EU, irrespective of where these data are stored and/or processed;

Amendment

5. Requests clarification that internet service providers are obliged to adhere to EU data protection law and EU competition law and to comply with ***the e-Commerce directive¹ and the "Telecoms Package"²*** when gathering data within the EU, irrespective of where these data are stored and/or processed;

¹ ***Directive 2000/31/EC of the European Parliament and of the Council of June 8 2000 on certain legal aspects of information society services, in particular electronic commerce in the internal market (OJ L 178, 17.7.2000, p.1).***

² ***Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 (OJ L 337, 18.12.2009, p.11) and Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009 (OJ L 337, 18.12.2009, p.37).***

Or. en

Amendment 13

Marielle Gallo

Draft opinion

Paragraph 5

Draft opinion

5. Requests clarification that internet service providers are obliged to adhere to EU data protection law and EU competition law and to comply with intellectual property rights protection when gathering data within the EU, irrespective of where these data are stored and/or processed;

Amendment

5. Requests clarification that internet service providers are obliged to adhere to EU data protection law and EU competition law and to comply with intellectual property rights protection when ***dealing with and/or*** gathering data within the EU, irrespective of where these data are stored and/or processed;

Or. en

Amendment 14

Piotr Borys, Jean-Marie Cavada

Draft opinion

Paragraph 5

Draft opinion

5. Requests clarification that internet service providers are obliged to adhere to EU data protection law and EU competition law and to comply with intellectual property rights protection when gathering data within the EU, irrespective of where this data is stored and/or processed;

Amendment

5. Requests clarification that internet service providers are obliged to adhere to EU data protection law and EU competition law and to comply with intellectual property rights protection when gathering data within the EU, irrespective of where this data is stored and/or processed; ***considers that a higher level of transparency regarding the identification of internet service providers should play a key role in fostering consumer confidence, promote best practice in this area, and be a key criterion for the creation of a European trustmark;***

Or. fr

Amendment 15

Angelika Niebler

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5a. Points out that under Article 5 of Directive 2000/31/EC¹ providers of online services are obliged to indicate clearly their identity, and that compliance with this requirement is vital to ensuring consumer confidence in e-commerce;

¹ 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).

Or. de

Amendment 16
Cecilia Wikström

Draft opinion
Paragraph 6

Draft opinion

6. ***Regards*** the Commission's proposal for mutual recognition of eIdentification and eAuthentication and for digital signatures with interest;

Amendment

6. ***Welcomes*** the Commission's proposal for mutual recognition of eIdentification and eAuthentication and for digital signatures with ***great*** interest;

Or. en

Amendment 17
Christian Engström, Eva Lichtenberger

Draft opinion
Paragraph 7

Draft opinion

7. Strongly supports an active campaign to prevent product counterfeiting ***and product piracy*** on the Internet;

Amendment

7. Strongly supports an active campaign to prevent product counterfeiting on the Internet;

Or. en

Amendment 18
Cecilia Wikström

Draft opinion
Paragraph 7

Draft opinion

7. Strongly supports ***an active campaign*** to prevent ***product counterfeiting and product piracy*** on the Internet;

Amendment

7. Strongly supports ***measures both at a member state and at a European level*** to prevent ***the sales of counterfeited products*** on the Internet;

Or. en