



Plenary sitting

A8-0139/2016

12.4.2016

*****II**

RECOMMENDATION FOR SECOND READING

on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council 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 (General Data Protection Regulation)
(05419/1/2016 – C8-0140/2016 – 2012/0011(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Jan Philipp Albrecht

Symbols for procedures

*	Consultation procedure
***	Consent procedure
***I	Ordinary legislative procedure (first reading)
***II	Ordinary legislative procedure (second reading)
***III	Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
PROCEDURE – COMMITTEE RESPONSIBLE.....	7
FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE.....	8

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council 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 (General Data Protection Regulation)
(05419/1/2016 – C8-0140/2016 – 2012/0011(COD))**

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (05419/1/2016 – C8-0140/2016),
 - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Belgian Chamber of Representatives, the German Bundesrat, the French Senate, the Italian Chamber of Deputies and the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 23 May 2012¹,
 - having regard to the opinion of the Committee of the Regions of 10 October 2012²,
 - having regard to the opinions of the European Data Protection Supervisor of 7 March 2012³ and 19 November 2015⁴,
 - having regard to the opinion of the Commission (COM(2016)0214),
 - having regard to its position at first reading⁵ on the Commission proposal to Parliament and the Council (COM(2012)0011),
 - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 76 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Civil Liberties, Justice and Home Affairs (A8-0139/2016),
1. Approves the Council position at first reading;
 2. Notes that the act is adopted in accordance with the Council position;
 3. Instructs its President to sign the act with the President of the Council, in accordance

¹ OJ C 229, 31.7.2012, p. 90.

² OJ C 391, 18.12.2012, p. 127.

³ OJ C 192, 30.6.2012, p. 7.

⁴ OJ C 67, 20.2.2016, p. 13.

⁵ Texts adopted of 12.3.2014, P8_TA(2014)0212.

with Article 297(1) of the Treaty on the Functioning of the European Union

4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Protection of individuals with regard to the processing of personal data, and the free movement of such data (General Data Protection Regulation)
References	05419/1/2016 – C8-0140/2016 – 2012/0011(COD)
Date of Parliament's first reading – P number	12.3.2014 T7-0212/2014
Commission proposal	COM(2012)0011 - C7-0025/2012
Receipt of Council position at first reading announced in plenary	11.4.2016
Committee responsible Date announced in plenary	LIBE 11.4.2016
Rapporteurs Date appointed	Jan Philipp Albrecht 12.4.2012
Discussed in committee	17.12.2015 11.4.2016 12.4.2016
Date adopted	12.4.2016
Result of final vote	+: 50 –: 3 0: 1
Members present for the final vote	Jan Philipp Albrecht, Heinz K. Becker, Michał Boni, Caterina Chinnici, Rachida Dati, Frank Engel, Cornelia Ernst, Tanja Fajon, Monika Flašíková Beňová, Lorenzo Fontana, Mariya Gabriel, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Jussi Halla-aho, Monika Hohlmeier, Brice Hortefeux, Filiz Hyusmenova, Sophia in 't Veld, Iliana Iotova, Sylvia-Yvonne Kaufmann, Timothy Kirkhope, Barbara Kudrycka, Kashetu Kyenge, Marju Lauristin, Juan Fernando López Aguilar, Monica Macovei, Barbara Matera, Roberta Metsola, Claude Moraes, Alessandra Mussolini, József Nagy, Péter Niedermüller, Judith Sargentini, Birgit Sippel, Branislav Škripek, Helga Stevens, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Harald Vilimsky, Udo Voigt, Beatrix von Storch, Josef Weidenholzer, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský
Substitutes present for the final vote	Marina Albiol Guzmán, Kostas Chrysogonos, Daniel Dalton, Teresa Jiménez-Becerril Barrio, Morten Helveg Petersen, Petri Sarvamaa
Date tabled	12.4.2016

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

50	+
ALDE	Nathalie Griesbeck, Filiz Hyusmenova, Morten Helveg Petersen, Cecilia Wikström, Sophia in 't Veld
ECR	Daniel Dalton, Jussi Halla-aho, Timothy Kirkhope, Monica Macovei, Helga Stevens, Branislav Škripek
GUE/NGL	Marina Albiol Guzmán, Kostas Chrysogonos, Cornelia Ernst, Marie-Christine Vergiat
NI	Udo Voigt
PPE	Heinz K. Becker, Michał Boni, Rachida Dati, Frank Engel, Mariya Gabriel, Kinga Gál, Monika Hohlmeier, Brice Hortefeux, Teresa Jiménez-Becerril Barrio, Barbara Kudrycka, Barbara Matera, Roberta Metsola, Alessandra Mussolini, József Nagy, Petri Sarvamaa, Traian Ungureanu, Tomáš Zdechovský
S&D	Caterina Chinnici, Tanja Fajon, Monika Flašíková Beňová, Ana Gomes, Sylvie Guillaume, Iliana Iotova, Sylvia-Yvonne Kaufmann, Kshetu Kyenge, Marju Lauristin, Juan Fernando López Aguilar, Claude Moraes, Péter Niedermüller, Birgit Sippel, Josef Weidenholzer
Verts/ALE	Jan Philipp Albrecht, Judith Sargentini, Bodil Valero

3	-
EFDD	Kristina Winberg, Beatrix von Storch
ENF	Harald Vilimsky

1	0
ENF	Lorenzo Fontana

Key to symbols:

+ : in favour

- : against

0 : abstention