



**2018/0227(COD)**

3.9.2018

# **DRAFT OPINION**

of the Committee on Legal Affairs

for the Committee on Industry Research and Energy

on the proposal for a regulation of the European Parliament and of the Council  
establishing the Digital Europe programme for the period 2021 - 2027  
(COM(2018)0434 – C8-0256/2018 – 2018/0227(COD))

Rapporteur for opinion: Evelyne Gebhardt

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## SHORT JUSTIFICATION

Internet and new technologies are comprehensively changing our society and our economy. Increasing investment in modern digital infrastructure – like high-performance computing, artificial-intelligence products and services and efficient cybersecurity capacities – combined with investment in advanced digital skills in these new technologies for workers and students is crucial to ensure that citizens, industry, business and public administrations can take full advantage of these developments and of the Digital Single Market.

In order to stimulate innovation, tackle market fragmentation under fair and balanced conditions and achieve consumer confidence, such a substantial investment in infrastructure and digital skills needs to be executed by the European Union, by Member States and by the private sector. This is entirely in line with the European Parliament's call, in its report "Towards a digital single market act"<sup>1</sup>, for a long-term investment strategy in digital infrastructure and skills as well as the support of digitisation of Europe's industry and public administration.

The new Digital Europe Programme can be a powerful instrument to support this digital transformation. Furthermore, it complements other programmes of the European Union, supports other Union policies and thus creates synergy effects, in particular with:

- the Horizon Europe Programme, supporting research and development of new technologies;
- the European Regional Development Funds (ERDF), supporting inter alia the deployment of digital solutions, including cybersecurity;
- the Connecting Europe Facility, providing infrastructure for broadband networks;
- and the Single Market programme, supporting inter alia product safety in relation to digital economy, cybersecurity and artificial intelligence.

The rapporteur welcomes the proposal of the new Digital Europe Programme and suggests to maintain the total budget of the Programme of 8.192 billion in constant prices (i.e. 9.194 billion in current prices) as proposed by the Commission, in accordance with the agreement of the European Parliament based on its resolution of 14 March 2018<sup>2</sup>. Nevertheless, the rapporteur calls on the Member States and the private sector to make the financial contribution needed to achieve the Programme's objectives.

Furthermore, the rapporteur welcomes the integration of existing and new Digital Innovation Hubs to implement the Programme. Digital Innovation Hubs will support the digital transformation of European industry, in particular SMEs, and of public administration and diffuse digital capacities on a local level. Therefore, the rapporteur suggests increasing the responsibilities of the Digital Innovation, clarifying that Hubs should be allowed to receive other public or private contributions and own revenues created by the Digital Innovations Hubs. In addition, Digital Innovation Hubs should be free to define their internal organisation, their composition, their work programme and working methods.

The rapporteur aims to uphold important values of the Programme, in particular the necessity for its contribution to social equality including persons with disabilities and, in view of their disproportionate underrepresentation in ICT, the principle of gender equality and women's

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<sup>1</sup> Own initiative report "Towards a digital single market act" (2015/2147(INI))

<sup>2</sup> European Parliament resolution of 14 March 2018 on the next MFF: Preparing the Parliament's position on the MFF post-2020 reached with MFF 2021-2027

rights. She also stresses, that the development of robotics and Artificial Intelligence needs focus on complementing human capabilities and not on replacing them as set out in the European Parliament's report for civil law rules on robotics and that humans need to have control over intelligent machines at all times.

In order to avoid significant investment gaps in other new technologies covered by the Horizon Europe Programme but not the Digital Europe Programme, it should be made clear that those other new technologies can attract funding under this Programme provided they are part of a comprehensive and related solution with the technologies that are covered under Art. 4 to 8.

## AMENDMENTS

The Committee on Legal Affairs calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>48</sup>, Council Regulation (Euratom, EC) No 2988/95<sup>49</sup>, Council Regulation (Euratom, EC) No 2185/96<sup>50</sup> and Regulation (EU) 2017/1939<sup>51</sup>, the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity

*Amendment*

(3) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>48</sup>, Council Regulation (Euratom, EC) No 2988/95<sup>49</sup>, Council Regulation (Euratom, EC) No 2185/96<sup>50</sup> and Regulation (EU) 2017/1939<sup>51</sup>, the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity

affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) *may* investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>52</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of the Union funds grant equivalent rights.

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<sup>48</sup> OJ L 248, 18.9.2013, p. 1–22. The regulation is available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R0883&rid=1>

<sup>49</sup> OJ L 312, 23.12.1995, p. 1–4. The regulation is available at <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:31995R2988&rid=1>

<sup>50</sup> OJ L 292, 15.11.1996, p. 2–5. The regulation is available at <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:31996R2185&rid=1>

<sup>51</sup> OJ L 283, 31.10.2017, p. 1–71. The regulation is available at <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32017R1939&rid=1>

<sup>52</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) *is to* investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>52</sup>. In accordance with the Financial Regulation, any person or entity receiving, *managing or distributing* Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of the Union funds grant equivalent rights.

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<sup>51</sup> OJ L 283, 31.10.2017, p. 1–71. The regulation is available at <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32017R1939&rid=1>

<sup>52</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

**Amendment 2****Proposal for a regulation****Recital 5 a (new)***Text proposed by the Commission**Amendment*

***(5 a) The Programme should ensure utmost transparency, accountability and democratic scrutiny of innovative financial instruments and mechanisms that involve the Union budget, especially as regards their contribution, both as regards initial expectations and end results made towards achieving Union objectives.***

Or. en

**Amendment 3****Proposal for a regulation****Recital 6***Text proposed by the Commission**Amendment*

(6) The Tallinn Digital Summit<sup>55</sup> of September 2017 and the Conclusions of the European Council<sup>56</sup> of 19 October 2017 indicated the need for Europe to invest in digitising our economies and addressing the skills gap to maintain and enhance European competitiveness, our quality of life and social fabric. The European Council concluded that the digital transformation offers immense opportunities for innovation, growth and jobs, will contribute to our global competitiveness, and enhance creative and cultural diversity. Seizing these opportunities requires collectively tackling some of the challenges posed by the digital transformation and reviewing policies

(6) The Tallinn Digital Summit<sup>55</sup> of September 2017 and the Conclusions of the European Council<sup>56</sup> of 19 October 2017 indicated the need for Europe to invest in digitising our economies and addressing the skills gap to maintain and enhance European competitiveness, our quality of life and social fabric. The European Council concluded that the digital transformation offers immense opportunities for innovation, growth and jobs, will contribute to our global competitiveness, and enhance creative and cultural diversity. Seizing these opportunities requires collectively tackling some of the challenges posed by the digital transformation and reviewing policies affected by the digital transformation *as*

affected by the digital transformation.

*well as securing significant private sector funds and contributions from the Member States.*

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<https://www.eu2017.ee/news/insights/conclusions-after-tallinn-digital-summit>

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<https://www.consilium.europa.eu/media/21620/19-euco-final-conclusions-en.pdf>

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<https://www.eu2017.ee/news/insights/conclusions-after-tallinn-digital-summit>

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<https://www.consilium.europa.eu/media/21620/19-euco-final-conclusions-en.pdf>

Or. en

#### **Amendment 4**

##### **Proposal for a regulation Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10a) The Programme should support a fair digital transition and uphold the common values of the European Union, including the right to education, the protection of workers' rights, guarantee fair competition, promote equality and ensure that digitisation contributes to rising social and labour standards, and promote prosperity for all European citizens, democracy and security.*

Or. en

#### **Amendment 5**

##### **Proposal for a regulation Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*(11a) Digital Innovation Hubs should be allowed to receive contributions from Member States, participating third countries or public authorities within*

*them, contributions from international bodies or institutions, contributions from the private sector, in particular from members, shareholders or partners of the Digital Innovation Hubs, revenues generated by the Digital Innovation Hubs' own assets and activities, bequests, donations and contributions from individuals or funding in the form of grants including from the Programme and other Union programmes.*

Or. en

## Amendment 6

### Proposal for a regulation Recital 17 a (new)

*Text proposed by the Commission*

*Amendment*

*(17 a) The Programme provides a good opportunity for other Member States to sign that declaration.*

Or. en

## Amendment 7

### Proposal for a regulation Recital 18

*Text proposed by the Commission*

*Amendment*

(18) For the high performance computing specific objective *a* joint undertaking is deemed the most suited implementation mechanism, in particular to coordinate national and Union strategies and investments in high performance computing infrastructure and research and development, pool resources from public and private funds, and safeguard the economic and strategic interests of the Union<sup>63</sup>. Moreover, high performance

(18) For the high performance computing specific objective *the HPC* joint undertaking (*EuroHPC JU*) is deemed the most suited implementation mechanism, in particular to coordinate national and Union strategies and investments in high performance computing infrastructure and research and development, pool resources from public and private funds, and safeguard the economic and strategic interests of the Union<sup>63</sup>. *The EuroHPC*



computing competence centres in Member States will provide high performance computing services to industry, academia and public administrations.

***JU will enable Member States to coordinate together with the Union their supercomputing strategies and investments.*** Moreover, high performance computing competence centres in Member States will provide high performance computing services to industry, academia and public administrations. ***The Programme should therefore finance the EuroHPC JU for the sole purpose of investing in high performance computing under the Programme.***

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<sup>63</sup> Impact Assessment accompanying the document "Proposal for a Council Regulation on establishing the EuroHPC Joint Undertaking"  
(<https://ec.europa.eu/digital-single-market/en/news/proposal-council-regulation-establishing-eurohpc-joint-undertaking-impact-assessment>)

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<sup>63</sup> Impact Assessment accompanying the document "Proposal for a Council Regulation on establishing the EuroHPC Joint Undertaking"  
(<https://ec.europa.eu/digital-single-market/en/news/proposal-council-regulation-establishing-eurohpc-joint-undertaking-impact-assessment>)

Or. en

## **Amendment 8**

### **Proposal for a regulation Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***(19a) Products and services based on artificial intelligence should be user-friendly, legally compliant by default and provide consumers with more choice and more information, in particular on the quality of products or services.***

Or. en

## **Amendment 9**

### **Proposal for a regulation Recital 19 b (new)**

**(19b) In its report for civil law rules on robotics<sup>1a</sup> the European Parliament stresses that the development of robotics and artificial intelligence should focus on complementing human capabilities and not on replacing them. The development of robotics and artificial intelligence should also guarantee that humans have control over intelligent machines at all times.**

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**<sup>1a</sup> Civil Law Rules on Robotics European Parliament resolution of 16 February 2017 with recommendations to the Commission on Civil Law Rules on Robotics (2015/2103(INL))**

Or. en

## Amendment 10

### Proposal for a regulation Recital 21

Text proposed by the Commission

(21) In its resolution of 1 June 2017 on digitising European industry<sup>64</sup> the European Parliament highlighted the importance of a common European cybersecurity approach, recognising the need to raise awareness and considered cyber-resilience as a crucial responsibility for business leaders and national and European industrial security policymakers.

Amendment

(21) In its resolution of 1 June 2017 on digitising European industry<sup>64</sup> the European Parliament highlighted, **in the context of potential vulnerabilities as regards cyberattacks, sabotage, manipulation of data or industrial espionage**, the importance of a common European cybersecurity approach, recognising the need to raise awareness **on enhancing cybersecurity** and considered cyber-resilience as a crucial responsibility for business leaders and national and European industrial security policymakers **and the need to make cybersecurity requirements mandatory for public procurement with regard to IT equipment and IoT products**.

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<sup>64</sup> Document ref. A8-0183/2017, available at:  
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2017-0240>

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<sup>64</sup> Document ref. A8-0183/2017, available at:  
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2017-0240>

Or. en

## **Amendment 11**

### **Proposal for a regulation Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

***(21 a) Data and IT infrastructure security and trust in the digital environment are essential for unlocking the full potential of growth and innovation connected with the digitisation of industry as well as public administrations for the benefit of citizens, workers, consumers and businesses, including SMEs and start-ups.***

Or. en

## **Amendment 12**

### **Proposal for a regulation Recital 23 a (new)**

*Text proposed by the Commission*

*Amendment*

***(23 a) As a matter of principle, cybersecurity solutions should contain safety and, according to the available state-of-the-art technology and the principles of ‘security by design’ and ‘security by default’, cybersecurity standards as core design parameters.***

Or. en

## Amendment 13

### Proposal for a regulation

#### Recital 27

*Text proposed by the Commission*

(27) In its resolution of 1 June 2017 on digitising European industry<sup>67</sup> the European Parliament stated that education, training and lifelong learning are the cornerstone of social cohesion in a digital society.

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<sup>67</sup> Document ref. A8-0183/2017, available at:  
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2017-0240>

*Amendment*

(27) In its resolution of 1 June 2017 on digitising European industry<sup>67</sup> the European Parliament stated that education, training and lifelong learning are the cornerstone of social cohesion in a digital society. ***They are of utmost importance for fighting digital exclusion and for promoting inclusiveness and the competitiveness of European regions.***

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<sup>67</sup> Document ref. A8-0183/2017, available at:  
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2017-0240>

Or. en

## Amendment 14

### Proposal for a regulation

#### Recital 27 a (new)

*Text proposed by the Commission*

*Amendment*

***(27 a) The report of the European Commission "Women in the digital age"<sup>1a</sup> analyses that there are four times more men than women in Europe with ICT-related studies. Furthermore there is a decrease in women taking up ICT related higher education when compared to 2011. The share of men working in the digital sector is 3.1 times greater than the share of women and the annual productivity loss for the European economy of women leaving their digital jobs to become inactive is calculated to be about EUR***

***16.2 billion. Moreover, the digital education action plan<sup>1b</sup> recommends that measures be supported to further decrease the gender gap in the technology and entrepreneurial sector by promoting digital and entrepreneurial competences among girls and that stakeholders be mobilised to equip girls with digital skills and inspirational models. Therefore the Programme's objective regarding advanced digital skills should pay particular attention to women and girls.***

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<sup>1a</sup> study reference: SMART 2016/0025

<sup>1b</sup> ***Communication from the Commission on the Digital Education Action Plan(SWD(2018)12final)***

Or. en

## **Amendment 15**

### **Proposal for a regulation Recital 29**

#### *Text proposed by the Commission*

(29) Modernising public administrations and services through digital means is crucial to reducing administrative burden on industry **and** on citizens in general by making their interactions with public authorities faster, more convenient and less costly, as well as by increasing the efficiency and the quality of the services provided to citizens and businesses. Since a number of services of public interest already have a Union dimension, the support to their implementation and deployment at Union level should ensure that citizens and businesses will benefit from the access to high quality digital services across Europe.

#### *Amendment*

(29) Modernising public administrations and services through digital means is crucial to reducing administrative burden on industry, **business and research as well as** on citizens in general by making their interactions with public authorities **including judiciaries** faster, more convenient and less costly, as well as by increasing the efficiency and the quality of the services provided to citizens and businesses. Since a number of services of public interest already have a Union dimension, the support to their implementation and deployment at Union level should ensure that citizens and businesses will benefit from the access to high quality digital services across Europe.

**Amendment 16****Proposal for a regulation****Recital 29 a (new)**

*Text proposed by the Commission*

*Amendment*

***(29 a) The accelerating digitisation in the Member States must reduce the growing gap between poor and rich. Therefore, the Programme should contribute to more social equality in an accelerating digitised world by granting access to modern digital technologies for all citizens including persons with disabilities.***

Or. en

**Amendment 17****Proposal for a regulation****Recital 33**

*Text proposed by the Commission*

*Amendment*

(33) The Annual Growth Survey published by the Commission in 2017<sup>69</sup> shows that the quality of European public administrations has a direct impact on the economic environment and is therefore crucial to stimulating productivity, competitiveness, economic cooperation, growth **and** employment. In particular, efficient and transparent public administration and effective justice systems are necessary to support economic growth and deliver high quality services for firms and citizens.

(33) The Annual Growth Survey published by the Commission in 2017<sup>69</sup> shows that the quality of European public administrations has a direct impact on the economic environment and is therefore crucial to stimulating productivity, competitiveness, economic cooperation, **sustainable** growth, employment **and high-quality work**. In particular, efficient and transparent public administration and effective justice systems are necessary to support economic growth and deliver high quality services for firms and citizens.

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<sup>69</sup> COM(2016) 725 final

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<sup>69</sup> COM(2016) 725 final

Or. en

## Amendment 18

### Proposal for a regulation

#### Recital 40

*Text proposed by the Commission*

(40) The General Data Protection Regulation (GDPR), applicable from May 2018 onwards, by providing for a single set of rules directly applicable in the Member States legal orders, will guarantee the free flow of personal data between EU Member States and reinforce trust and security of the individuals, two indispensable elements for a real Digital Single Market. The actions undertaken under this Programme, when they involve the processing of personal data, should therefore support the application of the GDPR, *for instance in the field of artificial intelligence and block chain technology.*

*Amendment*

(40) The General Data Protection Regulation (GDPR), applicable from May 2018 onwards, by providing for a single set of rules directly applicable in the Member States legal orders, will guarantee the free flow of personal data between EU Member States and reinforce trust and security of the individuals, two indispensable elements for a real Digital Single Market. The actions undertaken under this Programme, when they involve the processing of personal data, should therefore support the application of the GDPR *in all new technologies. Moreover, product and services should be developed and used in full respect of other EU data protection rules, considering the principles of fairness, transparency, purpose limitation, data minimisation, accountability and privacy by design and by default.*

Or. en

## Amendment 19

### Proposal for a regulation

#### Recital 42 a (new)

*Text proposed by the Commission*

*Amendment*

*(42 a) Bodies implementing the programme should respect the principle of gender equality between women and men as laid down in Articles 2 and 3 of the Treaty on European Union and Article 8 TFEU, as well as in Article 23 of the Charter of Fundamental Rights of the European Union.*

## Amendment 20

### Proposal for a regulation

#### Recital 44 a (new)

*Text proposed by the Commission*

*Amendment*

***(44 a) In order to be able to exercise its function of political control and to ensure transparency and accountability, as stipulated in the Treaties, the Commission should duly and regularly inform the European Parliament of all relevant aspects of the implementation of the Programme, including the work programmes, the execution and possible need for adjustment of the budgetary breakdown, and the development of the performance indicators in terms of objectives pursued and expected results.***

Or. en

## Amendment 21

### Proposal for a regulation

#### Article 4 – paragraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) deploy ready to use/operational technology resulting from research and innovation to build an integrated Union high performance computing ecosystem, covering all scientific and industrial value chain segments, including hardware, software, applications, services, interconnections and digital skills;

(b) deploy ready to use/operational technology resulting from research and innovation, ***in particular technologies that have previously benefited or that currently benefit from Union funding***, to build an integrated Union high performance computing ecosystem, covering all scientific and industrial value chain segments, including hardware software, applications, services, interconnections and digital skills;

Or. en



## Amendment 22

### Proposal for a regulation Article 16 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**4 a.** *Digital Innovation Hubs shall have substantial overall autonomy to define their internal organisation and composition, as well as their precise work programme and working methods. In particular, Digital Innovation Hubs shall aim to be open to new partners to join Digital Innovation Hubs whenever these members add value to the partnerships and function in an open and transparent way.*

Or. en

## Amendment 23

### Proposal for a regulation Article 16 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The Digital Innovation Hubs may receive funding in the form of grants.

5. The Digital Innovation Hubs may receive **contributions from Member States, participating third countries or public authorities within them, contributions from international bodies or institutions, contributions from members, shareholders or partners of the Digital Innovation Hub, revenues generated by the Digital Innovation Hubs own assets and activities, bequest, donations and contributions from individuals or** funding in the form of grants **including from the Programme and other Union programmes.**

Or. en

## Amendment 24

### Proposal for a regulation

#### Article 16 – paragraph 6 – introductory part

*Text proposed by the Commission*

6. The Digital Innovation Hubs **which receive funding** shall be involved in the implementation of the Programme to:

*Amendment*

6. The Digital Innovation Hubs shall be involved in the implementation of the Programme to:

Or. en

## Amendment 25

### Proposal for a regulation

#### Article 16 – paragraph 6 – point a

*Text proposed by the Commission*

(a) provide digital transformation services - including testing and experimentation facilities - targeted towards SMEs and midcaps, also in sectors that are slow in the uptake of digital and related technologies;

*Amendment*

(a) provide digital transformation services **and technological expertise** - including testing and experimentation facilities - targeted towards SMEs and midcaps, also in sectors that are slow in the uptake of digital and related technologies;

Or. en

## Amendment 26

### Proposal for a regulation

#### Article 16 – paragraph 6 – point a a (new)

*Text proposed by the Commission*

*Amendment*

**(a a) support companies, organisations and public administrations to become more competitive through use of new technologies covered by the Programme.**

Or. en

## Amendment 27

### Proposal for a regulation Article 16 – paragraph 6 – point b

*Text proposed by the Commission*

(b) transfer expertise and know-how between regions, in particular by networking SMEs and midcaps established in one region with Digital Innovation Hubs established in other regions which are best suited to provide relevant services;

*Amendment*

(b) transfer expertise and know-how between regions, in particular by networking SMEs and midcaps established in one region with Digital Innovation Hubs established in other regions which are best suited to provide relevant services ***and offer coaching consultancy;***

Or. en

## Amendment 28

### Proposal for a regulation Article 16 – paragraph 6 a (new)

*Text proposed by the Commission*

*Amendment*

***6 a. The European Commission shall in close co-operation with the Member States organise continuous monitoring and evaluation of the output, results and impacts of Union funds receiving Digital Innovation Hubs.***

Or. en

## Amendment 29

### Proposal for a regulation Article 17 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2 a. Actions that pursue objectives relating to other new technologies covered by the Horizon Europe Programme, namely robotics, Big Data & Key Digital Technologies, shall be eligible for funding, provided that those objectives***

*relate to the specific objectives covered under Articles 4 to 8 and constitute a comprehensive and related solution in a specific project.*

Or. en

*Justification*

*In order to avoid significant investment gaps in other technologies, exclude comprehensive solutions from the Programme or complicate its distinction, other new technologies should also be part of the Programme provided they constitute a comprehensive and related solution with the new technologies according to Art. 4 to 8.*

**Amendment 30**

**Proposal for a regulation**

**Article 18 – paragraph 2 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) legal entities established in:

(a) legal entities established *and, if applicable, liable to pay corporate tax* in:

Or. en

**Amendment 31**

**Proposal for a regulation**

**Article 20 – paragraph 1 – point h a (new)**

*Text proposed by the Commission*

*Amendment*

*(h a) where applicable, the presence of a plan to create sustainable high-quality employment in the Union or a participating country.*

Or. en

**Amendment 32**

**Proposal for a regulation**

**Article 22 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a.** *Where an action has already been awarded or has received contributions from another Union programme or support from a Union fund, that contribution or support shall be listed in the application for a contribution under the Programme.*

Or. en

### **Amendment 33**

#### **Proposal for a regulation Article 25 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than **four** years after the start of the implementation of the Programme.

2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than **three** years after the start of the implementation of the Programme. ***The interim evaluation shall present the findings necessary to make a decision about a follow-up to the programme beyond 2027 and its objectives.***

Or. en

### **Amendment 34**

#### **Proposal for a regulation Article 25 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. At the end of the implementation of the Programme, but no later than **four** years after the end of the period specified in Article [1], a final evaluation of the Programme shall be carried out by the

3. At the end of the implementation of the Programme, but no later than **two** years after the end of the period specified in Article [1], a final evaluation of the Programme shall be carried out by the

Commission.

Commission.

Or. en

### Amendment 35

#### Proposal for a regulation Article 26 – paragraph 4

*Text proposed by the Commission*

4. As part of the control system, the audit strategy *may* be based on the financial audit of a representative sample of expenditure. That representative sample shall be complemented by a selection based on an assessment of the risks related to expenditure.

*Amendment*

4. As part of the control system, the audit strategy *shall* be based on the financial audit of *at least* a representative sample of expenditure. That representative sample shall be complemented by a selection based on an assessment of the risks related to expenditure.

Or. en

### Amendment 36

#### Proposal for a regulation Annex I – part 1 – paragraph 2 – point 6

*Text proposed by the Commission*

6. The deployment of ready to use/operational technology: supercomputing as a service resulting from R&I to build an integrated European HPC ecosystem, covering all scientific and industrial value chain segments (hardware, software, applications, services, interconnections and advanced digital skills).

*Amendment*

6. The deployment of ready to use/operational technology: supercomputing as a service resulting from R&I, *in particular new technologies that have previously benefitted or that currently benefit from Union funding*, to build an integrated European HPC ecosystem, covering all scientific and industrial value chain segments (hardware, software, applications, services, interconnections and advanced digital skills).

Or. en

## Amendment 37

### Proposal for a regulation Annex I – part 4 – paragraph 4

*Text proposed by the Commission*

All interventions will be designed and implemented primarily through the Digital Innovation Hubs, as defined in Article 15.

*Amendment*

All interventions will be designed and implemented primarily through the Digital Innovation Hubs, as defined in Article 16.

Or. en

## Amendment 38

### Proposal for a regulation Annex I – part 5 – subpart I – point 2 – point 2.1

*Text proposed by the Commission*

2.1. Ensure that EU citizens can access, share, use, and manage their personal health data securely across borders irrespective of their location or the location of the data. Complete the eHealth Digital Service Infrastructure and extend it by new digital services, support deployment of the European exchange format for electronic health records.

*Amendment*

2.1. Ensure that EU citizens can access, share, use, and manage their personal health data securely ***and in a way that guarantees their privacy*** across borders irrespective of their location or the location of the data. Complete the eHealth Digital Service Infrastructure and extend it by new digital services, support deployment of the European exchange format for electronic health records.

Or. en