

Cell in green: The text can be deemed as already agreed

Cell in yellow: The issue needs further discussion at technical level

Cell in red: The issue needs further discussion in depth at the Trilogue meetings

Note: Differences between EP's position and the Commission's proposal are highlighted in **Bold/italics** and deletions are shown in ~~strikethrough~~. Underline/bold and ~~strikethrough~~ in the Council column indicates where the Council has amended the Commission's text. Differences between Compromise text and Commission's proposal are highlighted in **Bold/italics/underlined** and the deletions are shown in ~~strikethrough~~.

Proposal for a Regulation of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws - 2016/0148 (COD)

	Number	Commission Proposal	IMCO Report	Council	Possible compromise
1	Recital -1 (new)		<i>(-1) The Union's consumer protection policy is governed by point (f) of Article 4(2), Article 12, Article 114(3) and Article 169 of the Treaty on the Functioning of the European Union (TFEU) and Article 38 of the Charter of Fundamental Rights of the European Union. [Am. 1]</i>		GREEN <i>Note: Rows 1-3 not endorsed</i>
2	Recital -1a (new)		<i>(-1a) Article 169 TFEU states that the Union's consumer protection policy is to promote the interests of consumers and to ensure a high level of consumer protection. In order to do so, the Union is to contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right</i>		GREEN <i>idem</i>

			<i>to information, education and to organise themselves in order to safeguard their interests. [Am. 2]</i>		
3	Recital -1b (new)		<i>(-1b) Article 197 TFEU on administrative cooperation recognises that effective implementation of Union law by the Member States is essential for the proper functioning of the Union and fixes the limits within which the Union and Member States are to act in this regard. [Am. 3]</i>		GREEN <i>idem</i>
4	Recital 1	(1) Regulation (EC) No 2006/2004 of the European Parliament and of the Council ¹ provides for harmonised rules and procedures to facilitate cooperation between national authorities responsible for the enforcement of cross-border consumer protection laws. Article 21a provides for a review of the effectiveness and operational mechanisms of that Regulation and pursuant to that Article, the Commission concluded that Regulation (EC) No 2006/2004 is not sufficient to effectively	(1) Regulation (EC) No 2006/2004 of the European Parliament and of the Council ¹ provides for harmonised rules and procedures to facilitate cooperation between national authorities responsible for the enforcement of cross-border consumer protection laws. Article 21a <i>of Regulation (EC) No 2006/2004</i> provides for a review of the effectiveness and operational mechanisms of that Regulation and pursuant to that Article, the Commission concluded that Regulation (EC)	(1) Regulation (EC) No 2006/2004 of the European Parliament and of the Council ¹ provides for harmonised rules and procedures to facilitate cooperation between national authorities responsible for the enforcement of cross-border consumer protection laws. Article 21a provides for a review of the effectiveness and operational mechanisms of that Regulation and pursuant to that Article, the Commission concluded that Regulation (EC) No 2006/2004 is not sufficient to effectively	GREEN (1) Regulation (EC) No 2006/2004 of the European Parliament and of the Council ² provides for harmonised rules and procedures to facilitate cooperation between national authorities responsible for the enforcement of cross-border consumer protection laws. Article 21a <i>of Regulation (EC) No 2006/2004</i> provides for a review of the effectiveness and operational mechanisms of that Regulation and pursuant to that Article, the Commission

¹ Regulation (EC) 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 364, 9.12.2004, p. 1).

² Regulation (EC) 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 364, 9.12.2004, p. 1).

		address the enforcement challenges of the Single Market, and in particular the Digital Single Market,	No 2006/2004 is not sufficient to effectively address the enforcement challenges of the Single Market, and in particular including the Digital Single Market;. [Am. 4]	address the enforcement challenges of the Single Market, and in particular the Digital Single Market.	concluded that Regulation (EC) No 2006/2004 is not sufficient to effectively address the enforcement challenges of the Single Market, and in particular including the Digital Single Market;.
5	Recital 2	(2) The Digital Single Market Strategy adopted by the Commission on 6 May 2015 identified as one of the priorities the need to enhance consumer trust through more rapid, agile and consistent enforcement of consumer rules. The Single Market Strategy adopted by the Commission on 28 October 2015 reiterated that enforcing Union consumer protection legislation should be further strengthened by the Regulation on Consumer Protection Cooperation,	(2) The Digital Single Market Strategy adopted by the Commission on 6 May 2015 identified as one of the priorities the need to enhance consumer trust through more rapid, agile and consistent enforcement of consumer rules laws . The Single Market Strategy adopted by the Commission on 28 October 2015 reiterated that enforcing Union consumer protection legislation laws that protect consumers' interests should be further strengthened by the reform of Regulation on Consumer Protection Cooperation, (EC) No 2006/2004 . [Am. 5]	(2) The Digital Single Market Strategy adopted by the Commission on 6 May 2015 identified as one of the priorities the need to enhance consumer trust through more rapid, agile and consistent enforcement of consumer rules. The Single Market Strategy adopted by the Commission on 28 October 2015 reiterated that enforcing Union consumer protection legislation should be further strengthened by the Regulation on Consumer Protection Cooperation.	GREEN (2) The Digital Single Market Strategy adopted by the Commission on 6 May 2015 identified as one of the priorities the need to enhance consumer trust through more rapid, agile and consistent enforcement of consumer rules legislation . The Single Market Strategy adopted by the Commission on 28 October 2015 reiterated that enforcing Union consumer protection legislation should be further strengthened by the reform of Regulation on Consumer Protection Cooperation, (EC) No 2006/2004 .
6	Recital 3	(3) The resulting ineffective enforcement of cross-border infringements, in particular in the digital environment, enables traders to evade enforcement by relocating within the Union, giving rise to a distortion of competition for law-abiding	(3) The resulting ineffective enforcement of the laws to prevent cross-border infringements, in particular including in the digital environment, enables traders to evade enforcement by relocating relocate within the Union, giving rise to a distortion of competition	(3) The resulting ineffective enforcement of cross-border infringements, in particular in the digital environment, enables traders to evade enforcement by relocating within the Union, giving rise to a distortion of competition for law-abiding	GREEN (3) The resulting ineffective enforcement of cross-border infringements, in particular including in the digital environment, enables traders to evade enforcement by relocating within the Union, giving rise to a

		traders operating either domestically or cross-border, and thus directly harming consumers and undermining consumer confidence in cross-border transactions and the Single Market. An increased level of harmonisation setting effective and efficient enforcement cooperation among competent public enforcement authorities is therefore necessary to detect, investigate and order the cessation of intra-Union infringements and widespread infringements,	for law-abiding traders operating (<i>whether online or offline</i>) either domestically or cross-border, and thus <i>thereby</i> directly <i>and significantly</i> harming <i>the single market and</i> consumers and undermining consumer confidence in cross-border transactions and the Single Market. An increased level of harmonisation setting that <i>ensures</i> effective and efficient enforcement cooperation among competent public enforcement authorities is therefore necessary <i>in order</i> to detect, investigate, and order <i>and enforce</i> the cessation of intra-Union infringements and widespread infringements, [Am. 6]	traders operating either domestically or cross-border, and thus directly harming consumers and undermining consumer confidence in cross-border transactions and the Single Market. An increased level of harmonisation setting effective and efficient enforcement cooperation among competent public enforcement authorities is therefore necessary to detect, investigate and order the cessation of intra-Union infringements and widespread infringements.	distortion of competition for law-abiding traders operating (<i>whether online or offline</i>) either domestically or cross-border, and thus directly harming consumers and undermining consumer confidence in cross-border transactions and the Single Market. An increased level of harmonisation setting effective and efficient enforcement cooperation among competent public enforcement authorities is therefore necessary to detect, investigate and order the cessation of intra-Union infringements and widespread infringements,
7	Recital 4	(4) Regulation (EC) No 2006/2004 of the European Parliament and of the Council established a network of competent public authorities throughout the Union. Effective coordination among different competent authorities participating in the network, as well as other public authorities at the level of Member States, is necessary. The coordination role of the single liaison office should be entrusted to a competent authority in each Member State that has sufficient	of the European Parliament and of the Council established a network of competent public authorities throughout the Union. Effective coordination among different competent authorities participating in the network, as well as other public authorities at the level of Member States, is necessary. The coordination role of the single liaison office should be entrusted to a competent authority in each Member State <i>to a public</i>	(4) Regulation (EC) No 2006/2004 of the European Parliament and of the Council established a network of competent public authorities throughout the Union. Effective coordination among different competent authorities participating in the network, as well as other public authorities at the level of Member States, is necessary. The coordination role of the single liaison office should be entrusted to a competent public authority in each Member State that has	GREEN (4) Regulation (EC) No 2006/2004 of the European Parliament and of the Council established a network of competent public authorities throughout the Union. Effective coordination among different competent authorities participating in the network, as well as other public authorities at the level of Member States, is necessary. The coordination role of the single liaison office should be entrusted to a competent public authority in

		powers and resources to undertake this key role in the network of competent authorities,	<i>authority</i> that has sufficient powers and <i>necessary</i> resources to undertake this <i>that</i> key role in the network of competent authorities., [Am. 7]	sufficient powers and resources to undertake this key role in the network of competent authorities. <u>Member States are encouraged to designate one of the competent authorities pursuant to this regulation as the single liaison office.</u>	each Member State that has sufficient powers and resources to undertake this key role in the network of competent authorities. <u>Member States are encouraged to designate one of the competent authorities pursuant to this regulation as the single liaison office.</u>
8	Recital 5	(5) Consumers should also be protected from short-lived intra-Union infringements and widespread infringements that only last for a short period of time but whose harmful effects may continue long after the infringement has stopped. Competent authorities should have the necessary powers to investigate and order a cessation of such infringements in the future,	(5) Consumers should also be protected from short-lived intra-Union infringements and widespread <i>against</i> infringements that only last for a short period of time but whose <i>the</i> harmful effects <i>of which</i> may continue long after the infringement has stopped. Competent authorities should have the necessary powers to investigate and order a cessation of such infringements in the future, <i>so as to ensure consumer protection.</i> [Am. 8]	(5) Consumers should also be protected from short-lived intra-Union infringements and widespread infringements that only last for a short period of time <u>already ceased</u> but whose harmful effects may continue long after the infringement has stopped. Competent authorities should have the necessary powers to investigate and order a cessation of such infringements in the future, <u>in order to avoid their repetition.</u>	GREEN (5) Consumers should also be protected from short-lived intra-Union infringements and widespread infringements that only last for a short period of time <u>already ceased</u> but whose harmful effects may continue long after the infringement has stopped. Competent authorities should have the necessary powers to investigate and order a cessation of such infringements in the future, <u>in order to avoid their repetition, so as to ensure consumer protection.</u>
9	Recital 5a (new)		<i>(5a) In order to ensure legal certainty and the efficiency of enforcement actions against ceased infringements in a cross-border context, and to prevent differential treatment both for consumers and traders in the Single Market, the introduction</i>		GREEN <i>Note: EP AM 9 not endorsed, following the agreement on Article 4 (limitation periods)</i>

			<p><i>of a limitation period is needed. This will involve the setting of an unambiguous period of time within which competent authorities, when enforcing the rules governing cross-border infringements, may impose sanctions, order the compensation of consumers or order the restitution of profits obtained as a result of infringements. [Am. 9]</i></p>		
<p>10</p>	<p>Recital 6</p>	<p>(6) Competent authorities should have a minimum set of powers of investigation and enforcement to apply this Regulation effectively, to cooperate with each other, and to deter traders from committing intra-Union infringements and widespread infringements. Those powers should be adequate to tackle the enforcement challenges of e-commerce and the digital environment where the possibilities of a trader easily concealing its identity or changing it are of particular concern. Those powers should ensure that evidence can be validly exchanged among competent authorities to achieve effective enforcement at an equal level in all Member States,</p>	<p>(6) Competent authorities should have a minimum consistent set of powers of investigation and enforcement, in order to apply this Regulation effectively, to cooperate with each other; more quickly and more efficiently and to deter traders from committing intra-Union infringements and widespread infringements. Those powers should be adequate to sufficient to effectively tackle the enforcement challenges of e-commerce and the digital environment where the possibilities of a trader easily concealing its identity or changing it are of particular concern and to prevent non-compliant traders from exploiting gaps in the enforcement system by relocating</p>	<p>(6) Competent authorities should have a minimum set of powers of investigation and enforcement to apply this Regulation effectively, to cooperate with each other, and to deter traders from committing intra-Union infringements and widespread infringements. Those powers should be adequate to tackle the enforcement challenges of e-commerce and the digital environment where the possibilities of a trader easily concealing its identity or changing it are of particular concern. <u>Competent authorities should therefore be able to request the supply of any relevant information from any public authority, body or agency within their Member State and/or any</u></p>	<p>GREEN (6) Competent authorities should have a minimum set of powers of investigation and enforcement, <u>in order</u> to apply this Regulation effectively, to cooperate with each other; <u>more quickly and more efficiently</u> and to deter traders from committing intra-Union infringements and widespread infringements. Those powers should be adequate to <u>sufficient to effectively</u> tackle the enforcement challenges of e-commerce and the digital environment where the possibilities of a trader easily concealing its identity or changing it are of particular concern <u>and to prevent non-compliant traders from exploiting gaps in the enforcement system by relocating</u></p>

			<p><i>to Member States whose competent authorities are not equipped to tackle unlawful practices.</i> Those powers should ensure that <i>information and evidence</i> can be validly exchanged among competent authorities to achieve effective enforcement at an equal level in all Member States., [Am. 10]</p>	<p><u>natural or legal person including for instance payment service providers, internet service providers, telecommunication operators, domain registries and registrars and hosting services providers for the purpose of establishing whether an intra-Union infringement or a widespread infringement occurs.</u> Those powers should ensure that evidence can be validly exchanged among competent authorities to achieve effective enforcement at an equal level in all Member States.</p>	<p><i>to Member States whose competent authorities are not equipped to tackle unlawful practices.</i> Those powers should ensure that <i>information and evidence</i> can be validly exchanged among competent authorities to achieve effective enforcement at an equal level in all Member States., + <i>agreement on new Recital 10a</i></p>
11	Recital 6a (new)			<p><u>(6a) Each Member States should ensure that all competent authorities within its jurisdiction have all the minimum powers, which are necessary to ensure the proper application of this Regulation. However, provided that every power can be effectively exercised as necessary in relation to any infringement covered by this Regulation by at least one competent authority, Member States may decide not to confer all the powers to each competent authority. Member States may also decide, in</u></p>	<p>GREEN <i><u>(6a) Each Member States should ensure that all competent authorities within its jurisdiction have all the minimum powers, which are necessary to ensure the proper application of this Regulation. However, provided that every power can be effectively exercised as necessary in relation to any infringement covered by this Regulation by at least one competent authority, Member States may decide not to confer all the powers to each competent authority. Member States may also decide, in</u></i></p>

				<p><u>accordance with the provisions of this Regulation, to confer certain tasks under this Regulation to designated bodies. However, Member States should not be under any obligation to involve designated bodies in the application of this Regulation.</u></p>	<p><i><u>accordance with the provisions of this Regulation, to confer certain tasks under this Regulation to designated bodies or to provide competent authorities with the power to consult consumer organisations, trader organisations, designated bodies, or other persons concerned about the effectiveness of the commitments proposed by a trader in ceasing the infringement. However, Member States should not be under any obligation to involve designated bodies in the application of this Regulation or to provide for consultations with consumer organisations, trader organisations, designated bodies or other persons concerned about the effectiveness of the proposed commitments in ceasing the infringement.</u></i></p>
12	Recital 6b (new)			<p><u>(6b) The implementation and exercise of powers in application of this Regulation should be proportionate and adequate to the nature and actual or potential harm of the infringement. Competent authorities should take into account all facts and</u></p>	<p>GREEN <i><u>(6b) The implementation and exercise of powers in application of this Regulation should be proportionate and adequate to the nature and actual or potential harm of the infringement. Competent authorities should take into account all facts and</u></i></p>

				<p><u>circumstances of the case and choose the most appropriate measures which are essential to address the infringement. Those measures should be proportionate, effective and deterrent.</u></p>	<p><i>circumstances of the case and choose the most appropriate measures which are essential to address the infringement. Those measures should be proportionate, effective and deterrent.</i></p>
13	Recital 6c (new)			<p><u>(6c) The implementation and exercise of powers in application of this Regulation should also be in accordance with other Union and national legislation, in particular with applicable procedural safeguards and principles of the fundamental rights. Since the exercise of the powers in the application of this Regulation may affect fundamental rights, such as the protection of property, the freedom to engage in commercial activity, the right to privacy, and freedom of expression, the Member States should remain free to set out conditions and limits for the exercise of the powers in national law. Where, for instance, in accordance with national law prior authorisation to enter premises of natural and legal persons is needed from the judicial authority of the</u></p>	<p>GREEN</p> <p><i>(6c) The implementation and exercise of powers in application of this Regulation should also be in accordance with other Union and national legislation, in particular with applicable procedural safeguards and principles of the fundamental rights. Member States should remain free to set out conditions and limits for the exercise of the powers in national law, in accordance with Union law. Where, for instance, in accordance with national law prior authorisation to enter premises of natural and legal persons is needed from the judicial authority of the Member State concerned, the power to enter such premises should be used only after having obtained such prior authorisation.</i></p>

				<u>Member State concerned, the power to enter such premises should be used only after having obtained such prior authorisation.</u>	
14	Recital 7	(7) Member States may choose whether the competent authorities exercise those powers directly under their own authority or by application to the competent courts. Where the Member States choose that competent authorities exercise their powers by application to the competent courts, Member States should ensure that those powers can be exercised effectively and in a timely manner and that the cost of exercise of those powers be proportionate and does not hamper the application of this Regulation,	(7) <i>This Regulation should not affect the freedom of the Member States to choose the enforcement system they deem appropriate. Member States should be able to choose to determine the most adequate distribution of powers among national competent authorities, provided that every power can be used effectively to address any infringement. Member States may should also be able to choose to determine the most adequate distribution of powers among national competent authorities, provided that every power can be used effectively to address any infringement. Member States should also be able to choose whether the competent authorities exercise those powers directly under their own authority or with the assistance of other public authorities or under the supervision of the judicial authorities or by application to the competent courts. Where the</i>	(7) Member States may choose whether the competent authorities exercise those powers directly under their own authority, <u>with the assistance of other public authorities, by instructing designated bodies</u> or by application to the competent courts. Where the Member States choose that competent authorities exercise their powers by application to the competent courts, Member States should ensure that those powers can be <u>are</u> exercised effectively and in a timely manner and that the cost of exercise of those powers be proportionate and does not hamper the application of this Regulation.	GREEN (7) Member States may choose whether the competent authorities exercise those powers directly under their own authority, <u>with the assistance of other public authorities, by instructing designated bodies</u> or by application to the competent courts. Where the Member States choose that competent authorities exercise their powers by application to the competent courts, Member States should ensure that those powers can be <u>are</u> exercised effectively and in a timely manner and that the cost of exercise of those powers be proportionate and does not hamper the application of this Regulation. <i>Note: EP text is reflected in Row 11 [Council]</i>

			<p>Member States choose that competent authorities exercise their powers by application to the competent courts, Member States should ensure that those powers can be exercised effectively and in a timely manner and that the cost of exercise of exercising those powers be is proportionate and does not hamper the application of this Regulation. Member States may also decide, in accordance with this Regulation, to assign certain tasks under this Regulation to designated bodies. [Am. 11]</p>		
<p>15</p>	<p>Recital 8</p>	<p>(8) When responding to requests made through the mutual assistance mechanism, competent authorities should, where appropriate, also make use of other powers or measures granted to them at the national level, including the power to initiate or refer matters for criminal prosecution. It is of the utmost importance that courts and other authorities, in particular those involved in criminal prosecution, have the necessary means and powers to cooperate with competent authorities effectively and in a timely manner,</p>	<p>(8) When responding to requests made through the mutual assistance mechanism, competent authorities should, where appropriate, also make use of other powers or measures granted to them at the national level, including the power to initiate or refer matters for criminal prosecution. It is of the utmost importance that courts and other authorities, in particular those involved in criminal prosecution, have the necessary means and powers to cooperate with competent authorities effectively and in a timely manner;</p>	<p>(8) When responding to requests made through the mutual assistance mechanism, competent authorities should, where appropriate, also make use of other powers or measures granted to them at the national level, including the power to initiate or refer matters for criminal prosecution. It is of the utmost importance that courts and other authorities, in particular those involved in criminal prosecution, have the necessary means and powers to cooperate with competent authorities effectively and in a timely manner.</p>	<p>GREEN (8) When responding to requests made through the mutual assistance mechanism, competent authorities should, where appropriate, also make use of other powers or measures granted to them at the national level, including the power to initiate or refer matters for criminal prosecution. It is of the utmost importance that courts and other authorities, in particular those involved in criminal prosecution, have the necessary means and powers to cooperate with</p>

					competent authorities effectively and in a timely manner,
16	Recital 9	(9) Competent authorities should be in a position to open investigations on their own initiative if they become aware of intra-Union infringements or widespread infringements by means other than consumer complaints. This is particularly necessary to ensure effective cooperation among competent authorities when addressing widespread infringements,	(9) Competent authorities should be in a position to open investigations on their own initiative if they become aware of intra-Union infringements or widespread infringements by means other than consumer complaints. This is particularly necessary to ensure effective cooperation among competent authorities when addressing widespread infringements, [Am. 12]	(9) Competent authorities should be in a position to open investigations on their own initiative if they become aware of intra-Union infringements or widespread infringements by means other than consumer complaints. This is particularly necessary to ensure effective cooperation among competent authorities when addressing widespread infringements.	GREEN (9) Competent authorities should be in a position to open investigations on their own initiative if they become aware of intra-Union infringements or widespread infringements by means other than consumer complaints. This is particularly necessary to ensure effective cooperation among competent authorities when addressing widespread infringements,
17	Recital 10	(10) Competent authorities should have access to all necessary evidence, data and information to determine whether an intra-Union infringement or widespread infringement has occurred, and in particular to identify the trader responsible, irrespective of who possesses this evidence, information or data, of where it is located and of its format. Competent authorities should be able to directly request that third parties in the digital value chain provide all the evidence, data and information necessary,	(10) Competent authorities should have access to all necessary evidence, data and information <i>relating to the subject matter of an investigation in order</i> to determine whether an intra-Union infringement or widespread infringement has occurred, and in particular to identify the trader responsible, irrespective of who possesses this <i>the</i> evidence, information or data; <i>in question and regardless</i> of where it is located and of its format. Competent authorities should be able to directly request that third parties in the digital value chain	(10) Competent authorities should have access to all necessary evidence, data and information to determine whether an intra-Union infringement or widespread infringement has occurred, and in particular to identify the trader responsible, irrespective of who possesses this evidence, information or data, of where it is located and of its format. Competent authorities should be able to directly request that third parties in the digital value chain provide all the evidence, data and information necessary <u>in accordance with Directive</u>	GREEN (10) Competent authorities should have access to all necessary evidence, data and information <i>relating to the subject matter of an investigation or sweep in order</i> to determine whether an intra-Union infringement or widespread infringement has occurred <u>or occurs</u> , and in particular to identify the trader responsible, irrespective of who possesses this <i>the</i> evidence, information or data; <i>in question and regardless</i> of where it is located and of its format. Competent authorities should be able to directly request

			<p>provide all the evidence, data and information necessary, <i>on condition that they consistently respect the principles of personal data protection.</i> [Am. 13]</p>	<p><u>2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market.</u></p>	<p>that third parties in the digital value chain provide all the evidence, data and information necessary <i>in accordance with <u>Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market, on condition that they consistently respect the legislation on personal data protection.</u></i></p>
<p>18</p>	<p>Recital 10 a (new)</p>			<p><u>(10a) Information exchanged between competent authorities should be subject to strict guarantees of confidentiality and professional secrecy in order to ensure investigations are not compromised or the reputation of sellers or suppliers unfairly harmed.</u></p>	<p>GREEN <i><u>(10a) Information exchanged between competent authorities should be subject to strict guarantees of confidentiality and professional and commercial secrecy in order to ensure investigations are not compromised or the reputation of traders is not unfairly harmed. Disclosure should always be decided on a case-by-case basis by the competent authorities and only when appropriate and necessary, in accordance with the principle of proportionality, taking into account the public interest, such as public safety, consumer protection, public health and environmental</u></i></p>

					<p><u>protection and proper conduct of criminal investigations.</u></p> <p><u>(10b) Competent authorities should therefore be able to request the supply of any relevant information from any public authority, body or agency within their Member State and/or any natural or legal person including for instance payment service providers, internet service providers, telecommunication operators, domain registries and registrars and hosting services providers for the purpose of establishing whether an intra-Union infringement or a widespread infringement occurs.</u></p>
19			<p><i>(10a) Competent authorities should be able to carry out the necessary on-site inspections, and should have the power to enter any premises, land or means of transport, that the trader uses for purposes relating to his trade, business, craft or profession.</i></p> <p>[Am. 14]</p>		<p>GREEN</p> <p><u>(10c) Competent authorities should be able to carry out the necessary on-site inspections, and should have the power to enter any premises, land or means of transport, that the trader uses for purposes relating to his trade, business, craft or profession.</u></p>
20	Recital 10 b (new)		<p><i>(10b) Competent authorities should be able to request any representative or member of the staff of the trader concerned to give explanations or provide</i></p>		<p>GREEN</p> <p><u>(10d) Competent authorities should be able to request any representative or member of the staff of the trader concerned to</u></p>

			<i>facts, information or documents relating to the subject matter of the inspection, and to record the answers given by that representative or staff member.</i> [Am. 15]		<i>give explanations or provide facts, information or documents relating to the subject matter of the inspection, and to record the answers given by that representative or staff member.</i>
21	Recital 11	(11) Competent authorities should be able to verify compliance with consumer protection legislation and to obtain evidence of intra-Union infringements or widespread infringements, especially those that take place during or after the purchase of goods and services. They should therefore have the power to make test purchases and to purchase goods or services under a cover identity,	(11) Competent authorities should be able to verify compliance with consumer protection legislation <i>Union laws that protect consumers' interests</i> and to obtain evidence of intra-Union infringements or widespread <i>infringements before</i> , especially those that take place during or after the purchase of goods and services. They should therefore have the power to make test purchases and, <i>where the evidence cannot be obtained by other means</i> , to purchase goods or services under a cover identity. [Am. 16]	(11) Competent authorities should be able to verify compliance with consumer protection legislation and to obtain evidence of intra-Union infringements or widespread infringements, especially <i>including</i> those that take place during or after the purchase of goods and services. They should therefore have the power to make test purchases and to purchase goods or services under a cover identity <i>to detect infringements, such as the refusal to implement the consumer right to withdraw in the case of distance contracts.</i>	GREEN (11) Competent authorities should be able to verify compliance with consumer protection legislation and to obtain evidence of intra-Union infringements or widespread infringements, especially <i>including</i> those that take place during or after the purchase of goods and services. They should therefore have the power to make test purchases and to purchase goods or services under a cover identity <i>to detect infringements, such as the refusal to implement the consumer right to withdraw in the case of distance contracts. That power should also include the possibility to observe, study, disassembly or test a product or object that has been purchased by the competent authority for that purpose. The power to purchase goods or services as test purchases may include the power of competent</i>

authorities to ensure the return of any payment made where such return is not disproportionate and also otherwise complies with Union and national law."

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Recital 12

(12) In the digital environment in particular, the competent authorities should be able to stop infringements quickly and effectively, notably where the trader selling goods or services conceals its identity or relocates within the Union or to a third country to avoid enforcement. In cases where there is a risk of serious and irreparable harm to consumers, the competent authorities should be able to adopt interim measures to prevent such harm or reduce it, including, where necessary, the suspension of a website, domain or a similar digital site, service or account. Furthermore, the competent authorities should have the power to take down or have a third party service provider take down a website, domain or a similar digital site, service or account,

(12) In the digital environment in particular, the competent authorities should be able to stop infringements quickly and effectively, ~~notably~~ ***in particular*** where the trader selling goods or services conceals ~~its~~ ***his*** identity or relocates within the Union or to a third country to avoid enforcement. In cases where there is a risk of serious and irreparable harm to consumers, the competent authorities should be able to adopt interim measures, ***where there are no other means available, to prevent or mitigate such harm, or reduce it, including, where necessary, the suspension of in particular requiring hosting service providers to remove content or to suspend a website, domain or a similar digital site, service or account, or requiring domain registries and registrars to put a fully qualified domain name on hold for a specific period of time. Furthermore, if the interim measures have been***

(12) In the digital environment in particular, the competent authorities should be able to stop infringements quickly and effectively, notably where the trader selling goods or services conceals its identity or relocates within the Union or to a third country to avoid enforcement. In cases where there is a risk of serious ~~and irreparable~~ harm to consumers, **in accordance with national law**, the competent authorities should be able to adopt interim measures ~~to prevent such harm or reduce it, including,~~ **the restriction or blocking of access to an online interface or ordering the explicit display of a warning to consumers when accessing the online interface** where necessary, the suspension of a website, domain or a similar digital site, service or account. Furthermore, the competent authorities should have the power to take down or have a third party service provider take down a

GREEN
 (12) In the digital environment in particular, the competent authorities should be able to stop infringements quickly and effectively, notably where the trader selling goods or services conceals its identity or relocates within the Union or to a third country to avoid enforcement. In cases where there is a risk of serious ~~and irreparable~~ harm to consumers, **in accordance with national law**, the competent authorities should be able to adopt interim measures ~~to prevent such harm or reduce it, including,~~ **the restriction or blocking of access to removal of content from an online interface or ordering the explicit display of a warning to consumers when accessing the online interface** where necessary, the suspension of a website, domain or a similar digital site, service or account. **Interim measures should not go beyond what is necessary to achieve the**

			<p><i>unsuccessful, and only as a last resort, the competent authorities should also have the power to take down or have a third party service provider take order a hosting service provider to remove content or close down a website, domain or a similar digital site, service or account or a part of it, or to order registries or registrars to delete a fully qualified domain name and allow the competent authority concerned to register it. Taking into account their potential impact on fundamental rights, those powers should be exercised in line with the Charter of Fundamental Rights of the European Union and after receiving judicial authorisation.</i> [Am. 17]</p>	<p>website, domain or a similar digital site, service or account <u>restrict or disable the access to an online interface, order the explicit display of a warning to consumers when accessing the online interface or order the removal or modification of digital content when there are no other effective means to stop an illegal practice.</u></p>	<p><u>objective.</u> Furthermore, the competent authorities should have the power to take down or have a third party service provider take down a website, domain or a similar digital site, service or account <u>order the explicit display of a warning to consumers when accessing the online interface or order the removal or modification of digital content when there are no other effective means to stop an illegal practice. Such measures should not go beyond what is necessary to achieve the objective of ceasing or prohibiting the infringement.</u></p>
23	Recital 12a (new)			<p><u>(12a) Pursuing the objective of the Regulation along with stressing the importance of the traders will to act in accordance with the consumer protection legislation and to remedy the consequences of his infringements, competent authorities should have the possibility to agree with traders on commitments containing steps and measures the trader</u></p>	<p>GREEN <u>(12a) Pursuing the objective of the Regulation along with stressing the importance of the traders' will to act in accordance with the consumer protection legislation and to remedy the consequences of his infringements, competent authorities should have the possibility to agree with traders on commitments containing steps</u></p>

				<u>has to take regarding the infringement, in particular to make the infringement cease.</u>	<u>and measures the trader has to take regarding the infringement, in particular to make the infringement cease.</u>
24	Recital 13	(13) In order to ensure that traders are sufficiently deterred from committing or repeating infringements and that they will not profit from those infringements, the rules on penalties which have been adopted by Member States in accordance with the requirements of Union laws that protect consumers' interests should also be applied to intra-Union infringements and widespread infringements. For those same reasons, consumers should be entitled to redress for harm caused by such infringements.	(13) In order to ensure that traders are sufficiently deterred from committing or repeating infringements and that they will not profit from those such infringements, the rules on penalties sanctions which have been adopted by Member States in accordance with the requirements of Union laws that protect consumers' interests should also be observed and applied to intra-Union infringements and widespread infringements. For those same reasons, consumers should be entitled to redress for harm caused by such infringements, taking also into account the overall harm resulting from the infringement. [Am. 18]	(13) In order to ensure that traders are sufficiently deterred from committing or repeating infringements and that they will not profit from those infringements, the rules on penalties which have been adopted by Member States in accordance with the requirements of Union laws that protect consumers' interests should also be applied to intra-Union infringements and widespread infringements and competent authorities should where possible take into account the overall harm of the infringement in Member States concerned. For those same reasons, consumers should be entitled to redress for harm caused by such infringements.	GREEN (13) In order to ensure that traders are sufficiently deterred from committing or repeating infringements and that they will not profit from those infringements, the rules on penalties which have been adopted by Member States in accordance with the requirements of Union laws that protect consumers' interests should also be applied to intra-Union infringements and widespread infringements. For those same reasons, consumers should be entitled to redress for harm caused by such infringements. <u>Penalties for infringements of consumer law represent an important part of the enforcement system as they have an impact on the degree of deterrence provided by public enforcement. This Regulation includes the power to impose penalties for intra-Union infringements among the minimum powers of competent authorities, as national penalties</u>

schemes do not always allow taking into account the Intra-Union dimension of an infringement. The implementation of this power by Member States would not require them to set out a new regime of penalties for this particular category of infringement, but only to apply the applicable regime for domestic infringement, where possible taking into account the actual scale and scope of the infringement concerned. The need to strengthen the level of penalties for breaches of EU consumer law may be addressed, as it will be deemed appropriate, in accordance with the findings of the Report of the Fitness Check on EU consumer and marketing law SWD(2017) 209 final.

25	Recital 14	(14) As regards consumer redress, the competent authorities should choose proportionate, just and reasonable measures that would prevent or reduce the risk of recurrence or repetition of infringements, taking into account in particular the anticipated	(14) As regards consumer redress, the competent authorities should choose proportionate, just and reasonable effective measures that would will prevent or reduce the risk of recurrence or repetition of infringements, taking into account in particular the anticipated	deleted	<p>GREEN</p> <p><u><i>(14) Consumers should be entitled to redress for harm caused by infringements. Depending upon the nature of the case, the power to receive from the trader, on its own initiative,</i></u></p>
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benefits to consumers and the reasonable administrative costs likely to be associated with the implementation of those measures. Where the consumers concerned cannot be identified or where they cannot be identified without disproportionate cost to the trader responsible, the competent authority may order that the restitution of profits obtained through the infringement be paid to the public purse or to a beneficiary designated by the competent authority or under national legislation,

~~benefits to consumers and the reasonable administrative costs likely to be associated with the implementation of those measures. Where the consumers concerned cannot be identified or where they cannot be identified without disproportionate cost to the trader responsible, the competent authority may order that the restitution.~~ ***Consumers should be entitled to redress for harm caused by infringements. The power to order the compensation of consumers or to the restitution of profits is essential in order to remove the harm caused by a cross-border infringement, and to restore the level playing field in the single market that has been distorted through the collection of profits obtained through the infringement be paid to the public purse or to a beneficiary designated by the competent authority or under national legislation, as a result of infringements. [Am. 19]***

additional remedial commitments for consumers affected by the alleged infringement, or where appropriate to seek to obtain commitments from the trader to offer adequate remedies to the consumers concerned by the infringement should contribute to removing the adverse impact on consumers caused by a cross-border infringement. These remedies may include, inter alia, repairs, replacement, price reduction, termination of contracts or reimbursement of the price as it is appropriate to mitigate the negative consequences of the infringement for the consumer concerned, in accordance with the requirements of Union law. This is without prejudice to a consumer's right to seek redress through appropriate means. Where applicable, competent authorities should inform, by appropriate means, consumers that claim to have suffered harm as a consequence of an infringement about the means how to seek compensation provided for by national legislation;

<p>26</p>	<p>Recital 15</p>	<p>(15) The effectiveness and efficacy of the mutual assistance mechanism should be improved. Information requested should be provided in a timely manner and the necessary enforcement measures should be adopted in a timely manner. The Commission should therefore set binding time periods for competent authorities to reply to information and enforcement requests, and clarify procedural and other aspects of handling information and enforcement requests, by means of implementing measures,</p>	<p>(15) The effectiveness and efficacy of the mutual assistance mechanism should be improved. Information requested should be provided in a timely manner <i>within the time limits laid down by this Regulation</i> and the necessary enforcement measures should be adopted in a timely manner. The Commission should therefore set binding time periods for competent authorities to reply to information and enforcement requests, and clarify procedural and other aspects of handling information and enforcement requests, by means of implementing measures; [Am. 20]</p>	<p>(15) The effectiveness and efficacy of the mutual assistance mechanism should be improved. Information requested should be provided in a timely manner and the necessary <u>investigation and</u> enforcement measures should be adopted in a timely manner. The Commission should therefore set binding time periods for <u>Competent authorities should to</u> reply to information and enforcement requests <u>in set time periods, unless specific reasons for the delay are provided,</u> and clarify procedural and other aspects of handling information and enforcement requests, by means of implementing measures.</p>	<p>GREEN (15) The effectiveness and efficacy of the mutual assistance mechanism should be improved. Information requested should be provided in a timely manner and the necessary <u>investigation and</u> enforcement measures should be adopted in a timely manner. The Commission should therefore set binding time periods for <u>Competent authorities should to</u> reply to information and enforcement requests <u>in set time periods, unless otherwise agreed,</u> and clarify procedural and other aspects of handling information and enforcement requests, by means of implementing measures. <u>The obligations of the competent authority in the framework of mutual assistance should remain intact, unless it is likely that enforcement actions and administrative decisions taken at national level outside the framework of mutual assistance will ensure a swift and effective cessation or prohibition of the intra-Union infringement. Administrative decisions in this regard should be understood as decisions giving effect to the measures taken to cease or</u></p>
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					<u>prohibit the infringement. In those exceptional cases, competent authorities should be entitled to refuse to comply with a request for enforcement measures within the framework of mutual assistance.</u>
27	Recital 16	(16) The Commission must be better able to coordinate and monitor the functioning of the mutual assistance mechanism, issue guidance, make recommendations and issue opinions to the Member States when problems arise. The Commission also must be better able to effectively and quickly assist competent authorities to resolve disputes over the interpretation of their obligations of the competent authorities stemming from the mutual assistance mechanism,	(16) The Commission must should be better able to coordinate and monitor the functioning of the mutual assistance mechanism, issue guidance, make recommendations and issue opinions to the Member States when problems arise. The Commission should also must be better able to effectively and quickly assist competent authorities to resolve disputes over the interpretation of their obligations of the competent authorities stemming from the mutual assistance mechanism., [Am. 21]	(16) The Commission must should be better able to coordinate and monitor the functioning of the mutual assistance mechanism, issue guidance, make recommendations and issue opinions to the Member States when problems arise. The Commission also must should be better able to effectively and quickly assist competent authorities to resolve disputes over the interpretation of their obligations of the competent authorities stemming from the mutual assistance mechanism.	GREEN (16) The Commission must should be better able to coordinate and monitor the functioning of the mutual assistance mechanism, issue guidance, make recommendations and issue opinions to the Member States when problems arise. The Commission should also must be better able to effectively and quickly assist competent authorities to resolve disputes over the interpretation of their obligations of the competent authorities stemming from the mutual assistance mechanism.,
28	Recital 17	(17) Harmonised rules setting out the procedure for the coordination of the surveillance, investigation and enforcement of widespread infringements should be provided. Coordinated actions against widespread infringements should ensure that competent authorities	(17) <i>This Regulation should lay down</i> harmonised rules setting out the procedure for the coordination of the surveillance, investigation and enforcement of widespread infringements should be provided <i>and widespread infringements with a Union dimension and</i>	(17) Harmonised rules setting out the procedure for the coordination, of the surveillance, investigation and enforcement of widespread infringements should be provided. Coordinated actions against widespread infringements should ensure that competent authorities	GREEN (17) Harmonised rules setting out the procedure for the coordination, of the surveillance, investigation and enforcement of widespread infringements should be provided. Coordinated actions against widespread infringements should

		<p>may choose the most appropriate and efficient tools to stop widespread infringements and to ensure consumer compensation,</p>	<p><i>enforcement of the rules governing such infringements.</i> Coordinated actions against widespread infringements <i>and widespread infringements with a Union dimension</i> should ensure that competent authorities may choose the most appropriate and efficient tools to stop widespread infringements <i>and widespread infringements with a Union dimension</i> and to ensure consumer compensation. [Am. 22]</p>	<p>may choose the most appropriate and efficient tools to stop widespread infringements and to ensure consumer compensation.</p>	<p>ensure that competent authorities may choose the most appropriate and efficient tools to stop widespread infringements <i>and where appropriate, to receive or seek to obtain remedial commitments for consumers</i> consumer compensation.</p>
<p>29</p>	<p>Recital 17a (new)</p>			<p><u>(17a) The competent authorities concerned by a widespread infringement should launch a coordinated action by a common agreement. In order to establish which competent authorities are concerned by a widespread infringement all aspects of the infringement should be considered, in particular the place of establishment or residence of the trader, location of the assets of the traders, location of the consumers who suffered harm by the infringement and the place of the points of sale of the trader, i. e. shops and websites.</u></p>	<p>GREEN <u>(17a) The competent authorities concerned by a widespread infringement should launch a coordinated action by a common agreement. In order to establish which competent authorities are concerned by a widespread infringement all relevant aspects of the infringement should be considered, in particular the place of establishment or residence of the trader, location of the assets of the traders, location of the consumers who suffered harm by the infringement and the place of the points of sale of the trader, i. e. shops and websites.</u></p>

30	Recital 17b (new)			<p><u>(17b) Competent authorities concerned should coordinate their investigation and enforcement measures in the coordinated action in order to effectively tackle the infringement and bring about its cessation or prohibition. To that end evidence and other necessary information should be exchanged between the competent authorities and the necessary assistance should be provided. Competent authorities concerned should in a coordinated way take the necessary enforcement measures to bring about the cessation or prohibition of the widespread infringement.</u></p>	<p>GREEN</p> <p><i><u>(17b) Competent authorities concerned should coordinate their investigation and enforcement measures in the coordinated action in order to effectively tackle the infringement and bring about its cessation or prohibition. To that end evidence and other necessary information should be exchanged between the competent authorities and the necessary assistance should be provided. Competent authorities concerned should in a coordinated way take the necessary enforcement measures to bring about the cessation or prohibition of the widespread infringement.</u></i></p>
31	Recital 17c (new)			<p><u>(17c) The extent of participation of each competent authority in a coordinated action should be adequate to the extent of the investigation and enforcement measures the competent authority is required to take. Therefore participation in a coordinated action should not put an unreasonable burden on competent authorities. Competent authorities concerned should be under the</u></p>	<p>GREEN</p> <p><i><u>(17c) The extent of participation of each competent authority in a coordinated action should be sufficient to the extent of the investigation and enforcement measures the competent authority is required to address the infringement effectively. Competent authorities concerned should be under the obligation to take only the necessary investigation and enforcement</u></i></p>

				<p><u>obligation to take only the necessary investigation and enforcement measures which are needed to obtain the necessary evidence regarding the widespread infringement and to bring about the cessation or the prohibition of the infringement. However, lack of available resources of the competent authority concerned should not be considered as a justified reason not to take part in a coordinated action.</u></p>	<p><i>measures which are needed to obtain the necessary evidence regarding the widespread infringement and to bring about the cessation or the prohibition of the infringement. However, lack of available resources of the competent authority concerned should not be considered as a justified reason not to take part in a coordinated action.</i></p>
<p>32</p>	<p>Recital 17d (new)</p>			<p><u>(17d) Competent authorities concerned which participate in a coordinated action should be able to conduct national investigation and enforcement measures in relation to the same infringement. However, at the same time, the obligation of the competent authority to coordinate its investigation and enforcement activities in the framework of the coordinated action with other competent authorities concerned should remain intact, unless it is likely that investigation and enforcement actions taken at national level outside the framework of the coordinated</u></p>	<p>GREEN <i>(17d) Competent authorities concerned which participate in a coordinated action should be able to conduct national investigation and enforcement measures in relation to the same infringement. However, at the same time, the obligation of the competent authority to coordinate its investigation and enforcement activities in the framework of the coordinated action with other competent authorities concerned should remain intact, unless it is likely that enforcement actions and administrative decisions taken at national level outside the framework of the coordinated</i></p>

				<u>action will ensure a swift and effective cessation or prohibition of the widespread infringement. In those exceptional cases, competent authorities should be entitled to decline to participate in the coordinated action.</u>	<u>action will ensure a swift and effective cessation or prohibition of the widespread infringement. Administrative decisions in this regard should be understood as decisions giving effect to the measures taken to cease or prohibit the infringement. In those exceptional cases, competent authorities should be entitled to decline to participate in the coordinated action.</u>
33	Recital 18	(18) Coordinated screening of online e-commerce websites (sweeps) are another form of enforcement coordination that has proven to be an effective tool against infringements that should be retained and strengthened in the future,	(18) Coordinated screening of online e-commerce websites (sweeps) are <i>is</i> another form of enforcement coordination that has proven to be an effective tool against infringements that <i>which</i> should be retained and strengthened in the future, <i>including by extending its application to offline sectors.</i> [Am. 23]	deleted	GREEN Deleted <i>Note: See Row 38, EP text taken over there</i>
34	Recital 19	(19) Widespread infringements with a Union dimension may cause large scale harm to a majority of consumers in the Union. They therefore require a specific Union-level coordination procedure with the Commission as the mandatory coordinator. To ensure that the procedure is	(19) <i>In the case of</i> widespread infringements with a Union dimension <i>that</i> may cause large scale harm to <i>consumers' collective interests in</i> a majority of consumers in the Union. They therefore require <i>Member States, the Commission should launch and coordinate</i> a specific Union-	(19) Widespread infringements with a Union dimension may cause large scale harm to a majority of consumers in the Union. They therefore require a specific Union-level coordination procedure with the Commission as the mandatory coordinator. To ensure that the procedure is	GREEN (19) <u>Widespread infringements with a Union dimension may cause large scale harm to a majority of consumers in the Union. They therefore require a specific Union-level coordination procedure with the Commission as</u>

launched in a timely, coherent and effective manner and that the conditions are verified in a uniform manner, the Commission should be in charge of verifying whether the conditions for the launch of the procedure are fulfilled. Evidence and information collected during the common action should be used seamlessly in national proceedings when required,

level coordination procedure with the Commission as the mandatory coordinator. To ensure that the procedure is launched in a timely, coherent and effective manner and that the conditions are verified in a uniform manner *procedural coherence*, the Commission should be in charge of verifying whether the conditions for the launch of the procedure are fulfilled. Evidence and information collected during the ~~common~~ *coordinated* action should be used seamlessly in national proceedings when required. [Am. 24]

launched in a timely, coherent and effective manner and that the conditions are verified in a uniform manner. Commission should be in charge of verifying whether the conditions for the launch of the procedure are fulfilled. Evidence and information collected during the common action should be used seamlessly in national proceedings when required. **The Commission should cooperate more closely with Member States to prevent large scale infringements from occurring. Therefore, it should actively notify competent authorities of any suspicion of infringements under this Regulation. If the Commission has, for instance by monitoring the alerts submitted by competent authorities, the reasonable suspicion that a widespread infringements harmed, harms or is likely to harm consumers in at least three quarters of the Member States accounting together for at least three quarters of the population of the Union occurs, it should notify Member States, through the competent authorities and single liaison offices concerned**

the mandatory coordinator. To ensure that the procedure is launched in a timely, coherent and effective manner and that the conditions are verified in a uniform manner. Commission should be in charge of verifying whether the conditions for the launch of the procedure are fulfilled. Evidence and information collected during the common action should be used seamlessly in national proceedings when required. *The Commission should cooperate more closely with Member States to prevent large scale infringements from occurring. Therefore, it should actively notify competent authorities of any suspicion of infringements under this Regulation. If the Commission has, for instance by monitoring the alerts submitted by competent authorities, the reasonable suspicion that a widespread infringement with a Union dimension occurs, it should notify Member States, through the competent authorities and single liaison offices concerned by the alleged infringement, as well as state the grounds justifying a possible coordinated action in the*

by the alleged infringement, as well as state the grounds justifying a possible coordinated action in the notification. Competent authorities concerned should conduct appropriate investigations based on information available or easily accessible to them. Where such investigations reveal that an infringement may be taking place, competent authorities concerned by the alleged infringement should launch a coordinated action. A coordinated action, launched following the Commission's notification shall be coordinated by the Commission. If it is apparent that the Member State is concerned by that infringement, it should take part in a coordinated action in order to help to collect the necessary information and evidence related to the infringement and to bring about its cessation or prohibition. As regards the enforcement measures, criminal and judicial proceedings in Member States should not be affected by the application of this regulation. The principle of *ne bis in idem* should be

notification. Competent authorities concerned should conduct appropriate investigations based on information available or easily accessible to them. They should notify the results of their investigations to the other competent authorities, the single liaison offices concerned and the Commission. Where the competent authorities concerned come to the conclusion that such investigations reveal that an infringement may be taking place, they should start the coordinated action by taking the measures set out in Article 17 and, where appropriate Article 18 and Article 18a. A coordinated action tackling a widespread infringement with a Union dimension should always be coordinated by the Commission. If it is apparent that the Member State is concerned by that infringement, it should take part in a coordinated action in order to help to collect the necessary information and evidence related to the infringement and to bring about its cessation or prohibition. As regards the enforcement measures, criminal and judicial

				<p><u>respected. However, if the same trader reiterates the same acts or omission constituting an infringement which had already been addressed by an enforcement procedure resulting in cessation or prohibition of the infringement, it should be considered a new infringement and competent authorities should address it.</u></p>	<p><u>proceedings in Member States should not be affected by the application of this regulation. The principle of ne bis in idem should be respected. However, if the same trader reiterates the same acts or omission constituting an infringement which had already been addressed by an enforcement procedure resulting in cessation or prohibition of the infringement, it should be considered a new infringement and competent authorities should address it.</u></p>
<p>35</p>	<p>Recital 19a (new)</p>			<p><u>(19a) Competent authorities concerned should take the necessary investigation measures to establish the particularities of the widespread infringement, in particular the identity of the trader, acts or omissions committed by the trader and the effects of the infringement. Enforcement measures taken should be based on the outcome of the investigation. Where appropriate, the outcome of the investigation and the assessment of the widespread infringement</u></p>	<p>GREEN <u>(19a) Competent authorities concerned should take the necessary investigation measures to establish the particularities of the widespread infringement, in particular the identity of the trader, acts or omissions committed by the trader and the effects of the infringement. Enforcement measures taken should be based on the outcome of the investigation. Where appropriate, the outcome of the investigation and the assessment of the widespread infringement</u></p>

				<p><u>should be set out in a common position agreed among the competent authorities of the Member States concerned by the coordinated action and addressed to the traders concerned by the infringement. The common position should not constitute a binding decision of the competent authorities. It should, however, give the addressee the opportunity to be heard on the matters which are part of the common position.</u></p>	<p><i>should be set out in a common position agreed among the competent authorities of the Member States concerned by the coordinated action and addressed to the traders concerned by the infringement. The common position should not constitute a binding decision of the competent authorities. It should, however, give the addressee the opportunity to be heard on the matters which are part of the common position.</i></p>
<p>36</p>	<p>Recital 20</p>	<p>(20) In the context of widespread infringements and widespread infringement with a Union dimension, the rights of defence of the traders concerned should be respected. This requires, in particular, giving the trader the right to be heard and to use the language of its choice during the proceedings,</p>	<p>(20) In the context of widespread infringements and widespread infringement with a Union dimension, the rights of defence of the traders concerned should be respected. This requires, in particular, giving the trader the right to be heard and to use the language of its choice during the proceedings <i>the Member State of his establishment or residence. It is also essential to ensure compliance with Union legislation on the protection of undisclosed know-how and business information.</i> [Am. 25]</p>	<p>(20) In the context of widespread infringements and widespread infringement with a Union dimension, the rights of defence of the traders concerned should be respected. This requires, in particular, giving the trader the right to be heard and to use <u>during the proceedings the official language of its choice or one of the official languages used for official purposes of the Member State of its establishment or residence</u> during the proceedings.</p>	<p>GREEN (20) In the context of widespread infringements and widespread infringement with a Union dimension, the rights of defence of the traders concerned should be respected. This requires, in particular, giving the trader the right to be heard and to use <u>during the proceedings the official language of its choice or one of the official languages used for official purposes of the Member State of its establishment or residence</u> during the proceedings. <i>It is also essential to ensure compliance with Union legislation on the protection of</i></p>

undisclosed know-how and business information.**GREEN**

(21) If a trader responsible for the widespread infringement or the widespread infringement with a Union dimension fails to cease the infringement voluntarily, the competent authorities of the Member States concerned should designate one competent authority in a Member State to take the enforcement action adapted to preserve the rights of consumers residing in the other Member States concerned by the infringement. That competent authority should be designated, taking into account its capacity to take effective action against the trader, for instance where the trader is established in the Member State of that authority. The designated competent authority should act as if the consumers of the other Member States were its own consumers. Where necessary, to avoid extraterritorial application of the law, several or all the Member States concerned by the infringement should be allowed to adopt enforcement measures at the

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Recital 21

(21) If a trader responsible for the widespread infringement or the widespread infringement with a Union dimension fails to cease the infringement voluntarily, the competent authorities of the Member States concerned should designate one competent authority in a Member State to take the enforcement action adapted to preserve the rights of consumers residing in the other Member States concerned by the infringement. That competent authority should be designated, taking into account its capacity to take effective action against the trader, for instance where the trader is established in the Member State of that authority. The designated competent authority should act as if the consumers of the other Member States were its own consumers. Where necessary, to avoid extraterritorial application of the law, several or all the Member States concerned by the infringement should be allowed to adopt enforcement measures at the same time to protect their own

(21) If a trader responsible for the *a* widespread infringement or the *a* widespread infringement with a Union dimension fails to cease the *that* infringement voluntarily, the competent authorities of the Member States concerned should designate one competent authority in a Member State to take the enforcement action adapted to preserve the rights of consumers residing in the other Member States concerned by the *that* infringement. ~~That~~*The decision concerning the* competent authority ~~should~~ *to* be designated ; ~~taking~~ *should take* into account *all relevant aspects for effective enforcement, such as* its capacity to take effective action against the trader, ~~for instance where the trader is established in the Member State of that authority.~~ The designated competent authority should act as if the consumers ~~of~~ *in* the other Member States were its own consumers. Where necessary, ~~to avoid extraterritorial application of the law,~~ several or all the Member States concerned by the

(21) If a trader responsible for the widespread infringement or the widespread infringement with a Union dimension fails to cease the infringement voluntarily, the competent authorities of the Member States concerned should designate one competent authority in a Member State to take the enforcement action adapted to preserve the rights of consumers residing in the other Member States concerned by the infringement. That competent authority should be designated, taking into account its capacity to take effective action against the trader, for instance where the trader is established in the Member State of that authority. The designated competent authority should act as if the consumers of the other Member States were its own consumers. Where necessary, to avoid extraterritorial application of the law, several or all the Member States concerned by the infringement should be allowed to adopt enforcement measures at the same time to protect their own

		<p>consumers or consumers residing in other Member States. This may be needed, for instance, to stop infringements of a similar nature by subsidiaries of a company, established in more than one Member State, which affect the consumers of those Member States only, without an apparent cross-border element (parallel infringements),</p>	<p>infringement should be allowed to adopt <i>simultaneous</i> enforcement measures at the same time to protect their own consumers or consumers residing in other Member States. This may be needed, for instance, to stop infringements of a similar nature by subsidiaries of a company; established in more than one Member State; which affect the consumers of those Member States only, without an apparent cross-border element (parallel infringements). [Am. 26]</p>	<p>consumers or consumers residing in other Member States. This may be needed, for instance, to stop infringements of a similar nature by subsidiaries of a company, established in more than one Member State, which affect the consumers of those Member States only, without an apparent cross-border element (parallel infringements). <u>Competent authorities concerned should take within their jurisdiction the necessary investigation and enforcement measures. However, the effects of widespread infringements are not limited to a single Member State. Therefore cooperation of competent authorities is required to address widespread infringement and to bring about their cessation or prohibition.</u></p>	<p>same time to protect their own consumers or consumers residing in other Member States. This may be needed, for instance, to stop infringements of a similar nature by subsidiaries of a company, established in more than one Member State, which affect the consumers of those Member States only, without an apparent cross-border element (parallel infringements). <u>Competent authorities concerned should take within their jurisdiction the necessary investigation and enforcement measures. However, the effects of widespread infringements are not limited to a single Member State. Therefore cooperation of competent authorities is required to address widespread infringement and to bring about their cessation or prohibition.</u></p> <p><i>Note: EP text partly covered by Row 29</i></p>
<p>38</p>	<p>Recital 21a (new)</p>			<p><u>(21a) Concerted investigation of consumer markets (sweeps) are another form of enforcement coordination that has proven to be an effective tool against infringements that should be</u></p>	<p>GREEN <u>(21a) Concerted investigation of consumer markets (sweeps) are another form of enforcement coordination that has proven to be an effective tool against</u></p>

				<p><u>retained and strengthened in the future.</u></p>	<p><i><u>infringements that should be retained and strengthened in the future, for both, online and offline sectors. Sweeps should be conducted in particular where market trends, consumer complaints or other indications suggest that widespread infringements may have occurred, occur or may occur.</u></i></p>
<p>39</p>	<p>Recital 22</p>	<p>(22) The surveillance mechanism and alert mechanism should be strengthened to ensure the timely and effective detection of widespread infringements. The information which should be exchanged and the follow up required following an exchange of information should be clarified in order to ensure that alerts that require action are duly acted upon and addressed. The Commission should coordinate the functioning of the surveillance mechanism,</p>	<p>(22) The surveillance mechanism and alert mechanism should be strengthened to ensure the timely and effective detection of widespread infringements. The information which should be exchanged and the follow up required following an exchange of information should be clarified in order to ensure that alerts that require action are duly acted upon and addressed. The Commission should coordinate the functioning of the surveillance mechanism,</p>	<p>(22) The surveillance mechanism and alert mechanism should be strengthened to ensure the timely and effective detection of widespread infringements <u>should be supported by exchanging information between competent authorities and the Commission by the means of sending alerts if there is a reasonable suspicion of such infringements.</u> The information which should be exchanged and the follow up required following an exchange of information should be clarified in order to ensure that alerts that require action are duly acted upon and addressed. The Commission should coordinate the functioning of the surveillance mechanism <u>exchange of information.</u></p>	<p>GREEN</p> <p>(22) The surveillance mechanism and alert mechanism should be strengthened to ensure the timely and effective detection of widespread infringements <i><u>should be supported by exchanging information between competent authorities and the Commission by the means of sending alerts if there is a reasonable suspicion of such infringements.</u></i> The information which should be exchanged and the follow up required following an exchange of information should be clarified in order to ensure that alerts that require action are duly acted upon and addressed. The Commission should coordinate the functioning</p>

					of the surveillance mechanism <u>exchange of information.</u>
40	Recital 22a (new)		<i>(22a) In order to enhance the transparency of the cooperation network, and to raise awareness amongst consumers and the public in general, the Commission should submit biannual reports to the European Parliament and the Council containing an overview of the information, statistics and developments in the area of consumer law enforcement, collected within the framework of the cooperation provided for by this Regulation. [Am. 27]</i>		GREEN <i><u>(22a) In order to enhance the transparency of the cooperation network, and to raise awareness amongst consumers and the public in general, the Commission should produce every two years an overview of the information, statistics and developments in the area of consumer law enforcement, collected within the framework of the cooperation provided for by this Regulation, and make it publicly available.</u></i>
41	Recital 23	(23) Consumer organisations play an essential role in informing consumers about their rights and educating them and protecting their interests, including the settlement of disputes. Consumers should be encouraged to cooperate with the competent authorities to strengthen the application of this Regulation. Consumer organisations, in particular consumer organisations that may be delegated enforcement tasks under this Regulation and European Consumer Centres, should be in a position to notify	(23) Consumer organisations play an essential role in informing consumers about their rights and educating them and protecting their interests, including the settlement of disputes. Consumers should be encouraged to cooperate with the competent authorities to strengthen the application of this Regulation. Consumer organisations, in particular consumer organisations that may be delegated enforcement tasks under this Regulation and European Consumer Centres, should be in a position to notify	(23) Consumer organisations play an essential role in informing consumers about their rights and educating them and protecting their interests, including the settlement of disputes. Consumers should be encouraged to cooperate with the competent authorities to strengthen the application of this Regulation. Consumer organisations, in particular consumer organisations that may be delegated enforcement tasks under this Regulation and European Consumer Centres, should be in a position to notify	GREEN (23) Consumer organisations play an essential role in informing consumers about their rights and educating them and protecting their interests, including the settlement of disputes. Consumers should be encouraged to cooperate with the competent authorities to strengthen the application of this Regulation. Consumer organisations, in particular consumer organisations that may be delegated enforcement tasks under this Regulation and European Consumer Centres,

		competent authorities of suspected infringements and share information needed to detect, investigate and stop intra-Union infringements and widespread infringements with them,	competent authorities of suspected infringements and share <i>with them</i> information needed to detect, investigate and stop intra-Union infringements and widespread infringements with them. [Am. 28]	competent authorities of suspected infringements and share information needed to detect, investigate and stop intra-Union infringements and widespread infringements with them.	should be in a position to notify competent authorities of suspected infringements and share information needed to detect, investigate and stop intra-Union infringements and widespread infringements with them,
42	Recital 23a (new)		<i>(23a) Entities with appropriate expertise and a legitimate interest in consumer protection, in particular consumer organisations, should be allowed to participate in the alert mechanism provided for by this Regulation. Participation of trader associations in the alert mechanism should be also allowed to notify competent authorities of suspected infringements and share with them information needed to detect, investigate and stop infringements, to give their opinion about investigations or infringements and to notify competent authorities of abuse of Union laws that protect consumers' interests. Although competent authorities should not be bound to initiate a procedure or to take any other action in response to alerts and information provided by such</i>		GREEN <u><i>(23a) Participation of consumer organisations, and where appropriate participation of trader associations, in the alert mechanism should be also allowed to notify competent authorities of suspected infringements and share with them information needed to detect, investigate and stop infringements, to give their opinion about investigations or infringements and to notify competent authorities of abuse of Union laws that protect consumers' interests.</i></u>

			<i>entities, they should, in order to enhance transparency, notify the entity that made the external alert of any follow-up actions taken by the competent authority concerned in relation to the alerts, or, upon request, of the lack of any action. [Am. 29]</i>		
43	Recital 24	(24) Infringements which are widespread throughout the Union should be effectively and efficiently resolved. To this end, enforcement prioritisation and planning at the Member State level should be coordinated and the available resources of competent authorities should be pooled. A system of biennial rolling enforcement plans should be put in place to achieve this,	(24) Infringements which are widespread throughout the Union should be effectively and efficiently resolved. To this <i>that</i> end, enforcement prioritisation and planning at the Member State level should be coordinated and the available resources of competent authorities should be pooled. A system of biennial rolling <i>biannual</i> enforcement plans should be put in place to achieve this,. [Am. 30]	deleted	GREEN (24) Infringements which are widespread throughout the Union should be effectively and efficiently resolved. To this end, enforcement prioritisation and planning at the Member State level should be coordinated and the available resources of competent authorities should be pooled. A system of biennial rolling <i>biannual exchange of enforcement plans</i> should be put in place to achieve this,. <i>priorities</i> should be put in place to achieve this,.
44	Recital 25	(25) Data related to consumer complaints may help policymakers at a national and Union level to assess the functioning of consumer markets and detect infringements. With a view to facilitating the exchange of such data at a Union level, the Commission has adopted a Recommendation on the use of a harmonised methodology for	(25) Data related to consumer complaints may help policymakers at a national and Union level to assess the functioning of consumer markets and <i>to</i> detect infringements. With a view to facilitating The exchange of such data at Union level, the Commission has adopted a Recommendation on the use of a	deleted	GREEN (25) Data related to consumer complaints may help policymakers at a national and Union level to assess the functioning of consumer markets and <i>to</i> detect infringements. With a view to facilitating The exchange of such data at Union level, the

classifying and reporting consumer complaints and enquiries². That Recommendation should be implemented to fully support enforcement cooperation and facilitate the detection of intra-Union infringements and widespread infringements,

~~harmonised methodology for classifying and reporting consumer complaints and enquiries³. That Recommendation should be implemented to fully support enforcement cooperation and facilitate the detection of intra-Union infringements and widespread infringements, and~~ ***coordination between the Member States and the Commission of activities contributing to surveillance and enforcement should be promoted.***
[Am. 31]

~~Commission has adopted a Recommendation on the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries⁴. That Recommendation should be implemented to fully support enforcement cooperation and facilitate the detection of intra-Union infringements and widespread infringements, should be promoted.~~

(25a) To the extent necessary to contribute to achieving the objectives of this Regulation, it is essential that Member States inform each other and the Commission of their activities in protecting consumers' interests, including support for the activities of consumer representatives, support for the activities of bodies responsible for the extra-judicial settlement of consumer disputes and support for consumers' access

³ ~~Commission Recommendation on the use of harmonised methodology for classifying consumer complaints and enquiries (2010/304/EU, OJ L 136, 2.6. 2010, p. 1-31).~~

⁴ ~~Commission Recommendation on the use of harmonised methodology for classifying consumer complaints and enquiries (2010/304/EU, OJ L 136, 2.6. 2010, p. 1-31).~~

to justice. Member States should be able, in cooperation with the Commission, to carry out joint activities with respect to the exchange of consumer policy information in the aforementioned areas.

45	Recital 26	(26) Enforcement challenges that go beyond the frontiers of the Union, and the interests of Union consumers should be protected from rogue traders based in third countries. Hence, international agreements with third countries regarding mutual assistance in the enforcement of legislation that protects consumers' interests should be negotiated. Those international agreements should include the subject matter laid down in this Regulation and should be negotiated at Union level in order to ensure the optimum protection of Union consumers and smooth cooperation with third countries,	(26) Enforcement challenges that go beyond the frontiers of the Union, and . The interests of Union European consumers should be protected from <i>against</i> rogue traders based in third countries. Hence , International agreements with third countries regarding mutual assistance in the enforcement of legislation that protects consumers' interests should be negotiated. Those international agreements should include the subject matter laid down in this Regulation and should be negotiated at Union level in order to ensure the optimum protection of Union consumers and smooth cooperation with third countries, [Am. 32]	(26) Enforcement challenges that go beyond the frontiers of the Union, and the interests of Union consumers should be protected from rogue traders based in third countries. Hence, international agreements with third countries regarding mutual assistance in the enforcement of legislation that protects consumers' interests should be negotiated. Those international agreements should include the subject matter laid down in this Regulation and should be negotiated at Union level in order to ensure the optimum protection of Union consumers and smooth cooperation with third countries.	GREEN (26) Enforcement challenges that go beyond the frontiers of the Union, and the interests of Union consumers should be protected from rogue traders based in third countries. Hence, international agreements with third countries regarding mutual assistance in the enforcement of legislation that protects consumers' interests should be negotiated. Those international agreements should include the subject matter laid down in this Regulation and should be negotiated at Union level in order to ensure the optimum protection of Union consumers and smooth cooperation with third countries,
46	Recital 27	(27) In order to ensure uniform conditions for the implementation and exercise of the minimum	(27) In order to ensure uniform conditions for the implementation and exercise of the minimum	deleted	GREEN (27) In order to ensure uniform conditions for the implementation

powers of competent authorities, set time limits and set out other details of procedures to address intra-Union infringements, widespread infringements and details of the surveillance mechanism and administrative cooperation among competent authorities, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council 3,

~~powers of competent authorities, set time limits and set out other details of procedures to address intra-Union infringements,~~ ***of this Regulation, implementing powers should be conferred on the Commission, to lay down the standard forms and steps of the procedure under the mutual assistance mechanism; lay down time limits and standard forms for notifications and other exchanges of information and enforcement requests for coordinated actions in relation to*** widespread infringements and ~~details of the surveillance mechanism and administrative cooperation among competent authorities, implementing powers should be conferred on the Commission~~ ***widespread infringements with a Union dimension; set out the details of the procedure for sweeps; lay down standard forms for submitting an alert and an external alert via the database; and lay down standard electronic forms and templates available in the database for the discussion forum.*** Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of

~~and exercise of the minimum powers of competent authorities, set time limits and set out other details of procedures to address intra-Union infringements,~~ ***lay down the practical and operational arrangements for the functioning of the database,*** ~~widespread infringements and details of the surveillance mechanism and administrative cooperation among competent authorities, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council 3,~~

			the European Parliament and of the Council ⁵ . [Am. 33]		
47	Recital 28	(28) The examination procedure should be used for the adoption of the acts pursuant to Articles 10, 11, 12, 13, 15, 20, 27, 31, 32, 34, 35, 36, 37, 39, 43 and 46 of this Regulation given that those acts are of general scope,	(28) The examination procedure should be used for the adoption of the implementing acts pursuant to referred in Articles 10, 11, 12, 13, 15, 15a , 20, 27, 31, 32, 34, 35, 36, 37, 39, and 43 and 46 of this Regulation, given that those acts are of general scope. [Am. 34]	(28) The examination procedure should be used for the adoption of the acts pursuant to Articles 10, 11, 12, 13, 15, 20, 27, 31, 32, 34, 35, 36, 37, 39, 43 and 46 of this Regulation given that those that acts are is of general scope.	GREEN <i>deleted</i> <i>Note: Agreement to delete recital 28, to be double-checked by legal services/ lawyers-linguists</i>
48	Recital 29	(29) This Regulation complements sectoral Union rules providing for cooperation among sectoral regulators and sectoral Union rules on the compensation of consumers for harm resulting from infringements of those rules. This Regulation is without prejudice to other cooperation systems and networks set out in sectoral Union legislation. This Regulation furthers cooperation and coordination among the consumer protection network and the networks of regulatory bodies and authorities established by sectoral Union legislation,	(29) This Regulation complements sectoral Union rules providing for cooperation among sectoral regulators and sectoral Union rules on the compensation of consumers for harm resulting from infringements of those rules. This Regulation is without prejudice to other cooperation systems and networks set out in sectoral Union legislation. This Regulation furthers cooperation and coordination among the consumer protection network and the networks of regulatory bodies and authorities established by sectoral Union legislation.	(29) This Regulation complements sectoral Union rules providing for cooperation among sectoral regulators and sectoral Union rules on the compensation of consumers for harm resulting from infringements of those rules. This Regulation is without prejudice to other cooperation systems and networks set out in sectoral Union legislation. This Regulation furthers cooperation and coordination among the consumer protection network and the networks of regulatory bodies and authorities established by sectoral Union legislation. <u>This Regulation shall be without prejudice to the application in</u>	GREEN (29) This Regulation complements <u>is without prejudice to</u> sectoral Union rules providing for cooperation among sectoral regulators and <u>applicable</u> sectoral Union rules on the compensation of consumers for harm resulting from infringements of those rules. This Regulation is without prejudice to other cooperation systems and networks set out in sectoral Union legislation. This Regulation furthers cooperation and coordination among the consumer protection network and the networks of regulatory bodies and authorities established by sectoral Union legislation. <u>This</u>

⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2. 2011, p. 13-18).

				<u>the Member States of measures relating to judicial cooperation.</u>	<u>Regulation should be without prejudice to the application in the Member States of measures relating to judicial cooperation.</u>
49	Recital 29a (new)			<u>(29a) This Regulation is without prejudice to the right to claim individual or collective compensation, which is subject to the national law and does not provide for the enforcement of those claims.</u>	<u>(29a) This Regulation is without prejudice to the right to claim individual or collective compensation, which is subject to the national law and does not provide for the enforcement of those claims.</u>
50	Recital 29b (new)			<u>(29b) Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, 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 and Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons</u>	GREEN <u>(29b) Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, 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 and Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with</u>

				<u>with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data should apply in the context of this Regulation.</u>	<u>regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data should apply in the context of this Regulation.</u>
51	Recital 30	(30) This Regulation is without prejudice to the existing Union rules concerning the powers of national regulatory bodies established by Union sectoral legislation. Where appropriate and possible, those bodies should use the powers available to them under Union and national law to cease or prohibit intra-Union infringements or widespread infringements or to assist the competent authorities in doing so,	(30) This Regulation is without prejudice to the existing Union rules concerning the powers of national regulatory bodies established by Union sectoral legislation. Where appropriate and possible, those bodies should use the powers available to them under Union and national law to cease or prohibit intra-Union infringements or widespread infringements or to assist the competent authorities in doing so.	(30) This Regulation is without prejudice to the existing Union rules concerning the powers of national regulatory bodies established by Union sectoral legislation. Where appropriate and possible, those bodies should use the powers available to them under Union and national law to cease or prohibit intra-Union infringements or widespread infringements or to assist the competent authorities in doing so.	GREEN (30) This Regulation is without prejudice to the existing Union rules concerning the powers of national regulatory bodies established by Union sectoral legislation. Where appropriate and possible, those bodies should use the powers available to them under Union and national law to cease or prohibit intra-Union infringements or widespread infringements or to assist the competent authorities in doing so.
52	Recital 31	(31) For the calculation of compensation for harm to the collective interests of consumers, the rules of Union sectoral for passengers such as Regulation (EC) No 261/2004 of the European Parliament and of the Council 4, Regulation (EC) No	(31) For the calculation of compensation for harm to the collective interests of consumers, the rules of Union sectoral for passengers such as Regulation (EC) No 261/2004 of the European Parliament and of the	deleted	GREEN deleted <i>Note: Agreement not to endorse</i>

		1371/2007 of the European Parliament and of the Council ⁵ , Regulation (EU) No 1177/2010 of the European Parliament and of the Council ⁶ and Regulation (EU) No 181/2011 of the European Parliament and of the Council ⁷ should apply. Where the sectoral Union legislation does not cover compensation for the harm caused by intra-Union or widespread infringements, the compensation should be established based on applicable national law,	Council ⁶ , Regulation (EC) No 1371/2007 of the European Parliament and of the Council ⁷ , Regulation (EU) No 1177/2010 of the European Parliament and of the Council ⁸ and Regulation (EU) No 181/2011 of the European Parliament and of the Council ⁹ should apply. Where the sectoral Union legislation does not cover compensation for the harm caused by intra-Union or widespread infringements, the compensation should be established based on applicable national law ⁵ .		
53	Recital 32	(32) This Regulation is without prejudice to the role and the powers of the competent authorities and of the European Banking Authority in relation to the protection of the collective economic interests of consumers in matters concerning payment accounts services and credit	(32) This Regulation is without prejudice to the role and the powers of the competent authorities and of the European Banking Authority in relation to the protection of the collective economic interests of consumers in matters concerning payment accounts services and credit	(32) This Regulation is without prejudice to the role and the powers of the competent authorities and of the European Banking Authority in relation to the protection of the collective economic interests of consumers in matters concerning payment accounts services and credit	GREEN (32) This Regulation is without prejudice to the role and the powers of the competent authorities and of the European Banking Authority in relation to the protection of the collective economic interests of consumers in matters concerning payment

⁶ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights (OJ L 46, 17.2.2004, p. 1).

⁷ Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on railway passenger rights and obligations (OJ L 315, 3.12.2007, p. 14).

⁸ Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway (OJ L 334, 17.12.2010, p. 1).

⁹ Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 on the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

		agreements relating to residential immovable property under Directive 2014/17/EU of the European Parliament and of the Council 8 and Directive 2014/92/EU of the European Parliament and of the Council 9.	agreements relating to residential immovable property under Directive 2014/17/EU of the European Parliament and of the Council ¹⁰ and Directive 2014/92/EU of the European Parliament and of the Council ¹¹ .	agreements relating to residential immovable property under Directive 2014/17/EU of the European Parliament and of the Council 8 and Directive 2014/92/EU of the European Parliament and of the Council 9.	accounts services and credit agreements relating to residential immovable property under Directive 2014/17/EU of the European Parliament and of the Council 8 and Directive 2014/92/EU of the European Parliament and of the Council 9.
54	Recital 33	(33) In view of the existing cooperation mechanisms under Directive 2014/17/EU of the European Parliament and of the Council and Directive 2014/92/EU of the European Parliament and of the Council, the mutual assistance mechanism (Chapter III) shall not apply to intra-Union infringements of these Directives.	(33) In view of the existing cooperation mechanisms under Directive 2014/17/EU of the European Parliament and of the Council and Directive 2014/92/EU of the European Parliament and of the Council, the mutual assistance mechanism (Chapter III) shall not apply to intra-Union infringements of these Directives.	(33) In view of the existing cooperation mechanisms under Directive 2014/17/EU of the European Parliament and of the Council and Directive 2014/92/EU of the European Parliament and of the Council, the mutual assistance mechanism (Chapter III) shall not apply to intra-Union infringements of these Directives.	GREEN (33) In view of the existing cooperation mechanisms under Directive 2014/17/EU of the European Parliament and of the Council and Directive 2014/92/EU of the European Parliament and of the Council, the mutual assistance mechanism (Chapter III) shall not apply to intra-Union infringements of these Directives.
55	Recital 34	(34) This Regulation is without prejudice to penalties laid down in sectoral Union legislation and applied to national infringements. The competent authorities should, as appropriate, apply the provisions of national law implementing those provisions,	(34) This Regulation is without prejudice to penalties sanctions laid down in sectoral Union legislation and applied to national infringements. The competent authorities should, as appropriate, apply the provisions of national law implementing those	deleted	GREEN <i>Note: agreement to delete text</i>

¹⁰ Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property (OJ L 60, 28.2.2014, p. 34).

¹¹ Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (OJ L 257, 28.8.2014, p. 214).

		<p>taking into account the actual scale and scope of the infringement and the harm caused by the infringement to consumers in other Member States,</p>	<p>provisions, taking into account the actual scale and scope of the infringement <i>concerned</i> and the harm caused by the infringement to consumers in other Member States;. [Am. 35]</p>		
<p>56</p>	<p>Recital 34a (new)</p>		<p><i>(34a) This Regulation should be implemented and applied in full compliance with the Union rules on the protection of individuals with regard to the processing of personal data and any applicable national law in accordance with Union law concerning data protection. [Am. 36]</i></p>		<p>GREEN</p> <p><i>Note: AM 36 not endorsed, covered by Row 50 Council</i></p> <p>-----</p> <p><i>A new recital is added linked to Article 35(1) on external alerts</i></p> <p><u>(34a) In order to ensure the correct implementation of this Regulation, Member States should entitle designated bodies, European Consumer Centres, consumer organisations and associations and trader associations to notify the competent authorities of the Member States concerned and the Commission of suspected intra-Union infringements or widespread infringements and to provide the necessary</u></p>

information available to them. It is recognised that Member States may have appropriate reasons for not entitling such entities to undertake those actions. In this context, where a Member State decides not to entitle one of the aforementioned entities to carry out those tasks, it should provide an explanation containing justified reasons.

Agreement on additional recital replacing Council's Article 2(9):
(34b) This Regulation should be without prejudice to Regulation No 1 determining the languages to be used by the European Economic Community.

GREEN
 (35) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union **and by the constitutional traditions of the Member States** ¹⁰. Accordingly this Regulation should be interpreted and applied ~~with respect to~~ **in accordance with those rights and principles,**

57 Recital 35
 (35) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union ¹⁰. Accordingly this Regulation should be interpreted and applied with respect to those rights and principles. When exercising the minimum powers set out in this Regulation, the competent authorities should strike an

(35) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union ¹². Accordingly this Regulation should be interpreted and applied with respect to those rights and principles. When exercising the ~~minimum~~ powers set out in this Regulation, the competent authorities should strike an

(35) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union ¹⁰ **and by the constitutional law of the Member States**. Accordingly this Regulation should be interpreted and applied with respect to those rights and principles. When exercising the minimum powers set out in this Regulation, the

¹² OJ C 364, 18.12.2000, p. 1.

		<p>appropriate balance between the interests protected by fundamental rights such as a high level of consumer protection, the freedom to conduct business and freedom of information.</p>	<p>appropriate balance between the interests protected by fundamental rights such as a high level of consumer protection, the freedom to conduct business, <i>freedom of expression</i> and freedom of information. [Am. 37]</p>	<p>competent authorities should strike an appropriate balance between the interests protected by fundamental rights such as a high level of consumer protection, the freedom to conduct business and freedom of information. <u>Furthermore, the application of this Regulation should not prevent Member States from applying their fundamental rules and principles relating to the freedom of press and freedom of expression.</u></p>	<p><u>including those related to the freedom of the press and the freedom of expression.</u> When exercising the minimum powers set out in this Regulation, the competent authorities should strike an appropriate balance between the interests protected by fundamental rights such as a high level of consumer protection, the freedom to conduct business and freedom of information.</p>
<p>58</p>	<p>Recital 36</p>	<p>(36) Since the objective of this Regulation, namely cooperation between national authorities responsible for the enforcement of consumer protection law, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, and this objective can therefore, by reason of its territorial and personal scope, be better achieved at the Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that</p>	<p>(36) Since the objective of this Regulation, namely cooperation between national authorities responsible for the enforcement of consumer protection law, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, and this objective can therefore, by reason of its territorial and personal scope, be better achieved at the Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that</p>	<p>(36) Since the objective of this Regulation, namely cooperation between national authorities responsible for the enforcement of consumer protection law, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, and this objective can therefore, by reason of its territorial and personal scope, be better achieved at the Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that</p>	<p>GREEN (36) Since the objective of this Regulation, namely cooperation between national authorities responsible for the enforcement of consumer protection law, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, and this objective can therefore, by reason of its territorial and personal scope, be better achieved at the Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of</p>

		Article, this Regulation does not go beyond what is necessary in order to achieve this objective,	Article, this Regulation does not go beyond what is necessary in order to achieve this objective,	Article, this Regulation does not go beyond what is necessary in order to achieve this objective. <u>In order to ensure protection of the rights and freedoms, including appropriate safeguards for data subjects, with regard to the processing of personal data and on the free movement of such data, Regulation (EU) 2016/679 should be respected.</u>	proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve this objective. <u>In order to ensure protection of the rights and freedoms, including appropriate safeguards for data subjects, with regard to the processing of personal data and on the free movement of such data, Regulation (EU) 2016/679 should be respected.</u>
59	Recital 37	(37) Regulation (EC) No 2006/2004 should therefore be repealed,	(37) Regulation (EC) No 2006/2004 should therefore be repealed,	(37) Regulation (EC) No 2006/2004 should therefore be repealed.	(37) Regulation (EC) No 2006/2004 should therefore be repealed.
60		HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
61	CHAPTER I	CHAPTER I	CHAPTER I	CHAPTER I	CHAPTER I
62	CHAPTER I – title	INTRODUCTORY PROVISIONS	INTRODUCTORY PROVISIONS	INTRODUCTORY PROVISIONS	INTRODUCTORY PROVISIONS
63	Article 1	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>
64	Article 1 – title	Subject matter	Subject matter	Subject matter	Subject matter
65	Article 1 - paragraph 1	This Regulation lays down the conditions under which the competent authorities in the Member States designated as responsible for the enforcement of the laws that protect consumers'	This Regulation lays down the conditions under which the competent authorities in the Member States designated as responsible for the enforcement of the <i>Union</i> laws that protect	This Regulation lays down the conditions under which the competent authorities in the Member States designated as responsible for the enforcement of the <u>Union</u> laws that protect	GREEN This Regulation lays down the conditions under which the competent authorities in the Member States designated as responsible for the enforcement of

		interests cooperate with each other and with the Commission in order to ensure compliance with those laws and the smooth functioning of the internal market and in order to enhance the protection of consumers' economic interests.	consumers' interests cooperate with each other and with the Commission in order to ensure compliance with those laws and the smooth functioning of the internal market and in order to enhance the protection of consumers' economic interests. [Am. 38]	consumers' interests cooperate with each other and with the Commission in order to ensure compliance with those laws and the smooth functioning of the internal market and in order to enhance the protection of consumers' economic interests.	the Union laws that protect consumers' interests cooperate with each other and with the Commission in order to ensure compliance with those laws and the smooth functioning of the internal market and in order to enhance the protection of consumers' economic interests.
66	Article 2	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>
67	Article 2 – title	Scope	Scope	Scope	Scope
68	Article 2 - paragraph 1	1. This Regulation applies to intra-Union infringements and widespread infringements defined in points (b) and (c) of Article 3.	1. This Regulation applies to intra-Union infringements, widespread infringements with a Union dimension as respectively defined in points (b), and (c) and (ca) of Article 3, even where those infringements have ceased before an enforcement procedure started or could be completed. [Am. 39]	1. This Regulation applies to intra-Union infringements and widespread infringements defined in points (b) and (c) of Article 3 <u>respectively, even if those infringements have ceased before enforcement starts or is completed.</u>	GREEN 1. This Regulation applies to intra-Union infringements and widespread infringements defined in points (b), and (c) and (ca) of Article 3 <u>respectively, even if those infringements have ceased before enforcement starts or is completed.</u> <i>Note: Notions “widespread infringement” and “widespread infringement with a Union dimension” to be checked and adapted throughout the Regulation by lawyers-linguists</i>

69	Article 2 - paragraph 2	2. This Regulation also applies to short-lived intra-Union infringements and widespread infringements, even if those infringements have ceased before enforcement started or could be completed.	deleted [Am. 40]	deleted	GREEN deleted
70	Article 2 - paragraph 3	3. This Regulation shall be without prejudice to the Union rules on private international law, in particular rules related to court jurisdiction and applicable laws.	3. This Regulation shall be without prejudice to the Union rules on private international law, in particular rules related to court jurisdiction and applicable laws.	3. This Regulation shall be without prejudice to the Union rules on private international law, in particular rules related to court jurisdiction and applicable laws.	GREEN 3. This Regulation shall be without prejudice to the Union rules on private international law, in particular rules related to court jurisdiction and applicable laws.
71	Article 2 - paragraph 4	4. This Regulation shall be without prejudice to the application in the Member States of measures relating to judicial cooperation in criminal and civil matters, in particular the operation of the European Judicial Network.	4. This Regulation shall be without prejudice to the application in the Member States of measures relating to judicial cooperation in criminal and civil matters, in particular the operation of the European Judicial Network, <i>and to the application of legal instruments regarding judicial cooperation in criminal matters.</i> [Am. 41]	4. This Regulation shall be without prejudice to the application in the Member States of measures relating to judicial cooperation in criminal and civil matters, in particular the operation of the European Judicial Network <u>and to the application of legal instruments regarding the judicial cooperation in criminal matters.</u>	GREEN 4. This Regulation shall be without prejudice to the application in the Member States of measures relating to judicial cooperation in criminal and civil matters, in particular the operation of the European Judicial Network <i>and to the application of legal instruments regarding judicial cooperation in criminal matters.</i>
72	Article 2 - paragraph 5	5. This Regulation shall be without prejudice to the fulfilment by the Member States of any additional obligations in relation to mutual assistance for the protection of the collective economic interests of consumers, including criminal matters	5. This Regulation shall be without prejudice to the fulfilment by the Member States of any additional obligations in relation to mutual assistance for the protection of the collective economic interests of consumers, including criminal matters	5. This Regulation shall be without prejudice to the fulfilment by the Member States of any additional obligations in relation to mutual assistance for the protection of the collective economic interests of consumers, including criminal matters	GREEN 5. This Regulation shall be without prejudice to the fulfilment by the Member States of any additional obligations in relation to mutual assistance for the protection of the collective economic interests of consumers,

		stemming from other legal acts, including bilateral or multilateral agreements.	stemming from other legal acts, including bilateral or multilateral agreements.	stemming from other legal acts, including bilateral or multilateral agreements.	including criminal matters stemming from other legal acts, including bilateral or multilateral agreements.
73	Article 2 - paragraph 6	6. This Regulation shall be without prejudice to the role and powers of competent authorities and European Banking Authority under Directive 2014/17/EU of the European Parliament and of the Council ¹¹ of 4 February 2014 on credit agreements for consumers relating to residential immovable property and Directive 2014/92/EU of the European Parliament and of the Council ¹² of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts.	6. This Regulation shall be without prejudice to the role and powers of competent authorities and European Banking Authority under Directive 2014/17/EU of the European Parliament and of the Council ¹³ of 4 February 2014 on credit agreements for consumers relating to residential immovable property and Directive 2014/92/EU of the European Parliament and of the Council ¹⁴ of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts.	6. <u>Chapter III of this Regulation shall not apply to intra-Union infringements</u> This Regulation shall be without prejudice to the role and powers of competent authorities and European Banking Authority under Directive 2014/17/EU of the European Parliament and of the Council ¹¹ of 4 February 2014 on credit agreements for consumers relating to residential immovable property and Directive 2014/92/EU of the European Parliament and of the Council ¹² of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts.	GREEN 6. <i>Chapter III of this Regulation shall not apply to intra-Union infringements</i> This Regulation shall be without prejudice to the role and powers of competent authorities and European Banking Authority under Directive 2014/17/EU of the European Parliament and of the Council ¹¹ of 4 February 2014 on credit agreements for consumers relating to residential immovable property and Directive 2014/92/EU of the European Parliament and of the Council ¹² of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts.
74	Article 2 - paragraph 6 - subparagraph 1a (new)		<i>Chapter III of this Regulation shall not apply to intra-Union infringements of the two</i>		GREEN <i>Note: integrated in row 73 above</i>

¹³ *Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34).*

¹⁴ *Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (OJ L 257, 28.8.2014, p. 214).*

			<i>Directives referred to in the first subparagraph. [Am. 42]</i>		
75	Article 2 - paragraph 7	7. Chapter III of this Regulation shall not apply to intra-Union infringements of the following legislation:	deleted	deleted	GREEN deleted
76	Article 2 - paragraph 7 - point a	(a) Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property	deleted	deleted	GREEN deleted
77	Article 2 - paragraph 7 - point b	(b) Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.	deleted	deleted	GREEN deleted
78	Article 2 - paragraph 8	8. This Regulation shall be without prejudice to Directive 2009/22/EC of the European Parliament and of the Council ¹³ .	8. This Regulation shall be without prejudice to Directive 2009/22/EC of the European Parliament and of the Council ¹⁵ .	8. This Regulation shall be without prejudice to Directive 2009/22/EC of the European Parliament and of the Council ¹³ .	GREEN 8. This Regulation shall be without prejudice to Directive 2009/22/EC of the European Parliament and of the Council ¹⁶ .

¹⁵ Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests (OJ L 110, 1.5.2009, p. 30).

^x ***Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 401-402)***

¹⁶ Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests (OJ L 110, 1.5.2009, p. 30).

79	Article 2 - paragraph 8a (new)		<i>8a. This Regulation shall be without prejudice to the possibility of bringing private enforcement actions and actions for damages under national law.</i> [Am. 44]		GREEN <i>8a. This Regulation shall be without prejudice to the possibility of bringing further public or private enforcement actions under national law.</i>
80				9. This Regulation shall be without prejudice to Regulation No 1 determining the languages to be used by the European Economic Community ^x .	GREEN Agreement on moving text to new recital 34b
81	Article 2 - paragraph 8b (new)			10. This Regulation shall be without prejudice to relevant Union law applicable to the protection of individuals with regard to the processing of personal data.	GREEN <i>8b. This Regulation shall be without prejudice to relevant Union law applicable to the protection of individuals with regard to the processing of personal data.</i>
82	Article 2 - paragraph 8c (new)			11. This Regulation shall be without prejudice to national law applicable to compensation of consumers for harm caused by infringement of Union law that protects consumer interest.	GREEN <i>8c. This Regulation shall be without prejudice to national law applicable to compensation of consumers for harm caused by infringement of Union law that protects consumer interest.</i> <i>8d. This Regulation shall not preclude competent authorities</i>

^x Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 401-402)

					<u><i>from conducting investigation and enforcement action against more than one trader committing similar infringements, as defined in this Regulation.</i></u>
83	Article 3	<i>Article 3</i>	<i>Article 3</i>	<i>Article 3</i>	<i>Article 3</i>
84	Article 3 - title	Definitions	Definitions	Definitions	Definitions
85	Article 3 - paragraph 1 - introductory part	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	GREEN For the purposes of this Regulation, the following definitions apply:
86	Article 3 - paragraph 1 - point a	(a) ‘laws that protect consumers’ interests’ means the Directives as transposed into the internal legal order of the Member States and the Regulations listed in the Annex;	(a) ‘ <i>Union</i> laws that protect consumers’ interests’ means the Directives as transposed into the internal legal order of the Member States and the Regulations listed in the Annex <i>hereto</i> ; [Am. 45]	(a) ‘ <u>Union</u> laws that protect consumers’ interests’ means the Directives as transposed into the internal legal order of the Member States and the Regulations listed in the Annex;	GREEN (a) ‘ <u>Union</u> laws that protect consumers’ interests’ means the Directives as transposed into the internal legal order of the Member States and the Regulations listed in the Annex <u>hereto</u> ;
87	Article 3 - paragraph 1 - point b	(b) ‘intra-Union infringement’ means any ongoing or ceased act or omission contrary to the laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in a Member State other than the Member State where the act or omission originated or took place, where the trader responsible for the act or omission is established or where evidence or assets of the trader	(b) ‘intra-Union infringement’ means any ongoing or ceased act or omission contrary to the <i>Union</i> laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in a Member State other than the Member State where the act or omission originated or took place, <i>or</i> where the trader responsible for the act or omission is established, or where evidence or assets of the	(b) ‘intra-Union infringement’ means any ongoing or ceased act or omission contrary to the Union laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in a Member State other than the Member State where the act or omission originated or took place, where the trader responsible for the act or omission is established or where evidence or assets of the	GREEN (b) ‘intra-Union infringement’ means any ongoing or ceased act or omission contrary to the Union laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in a Member State other than the Member State where the act or omission originated or took place, or where the trader responsible for the act or omission is established,

		pertaining to the act or omission are to be found;	trader pertaining to the act or omission are to be found; [Am. 46]	trader pertaining to the act or omission are to be found;	or where evidence or assets of the trader pertaining to the act or omission are to be found;
88	Article 3 - paragraph 1 - point c	(c) 'widespread infringement' means:	(c) 'widespread infringement' means:	(c) 'widespread infringement' means:	GREEN (c) 'widespread infringement' means:
89	Article 3 - paragraph 1 - point c - point 1	(1) any act or omission contrary to the laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in at least two Member States other than the Member State where the act or omission originated or took place, or where the trader responsible for the act or omission is established, or where evidence or assets pertaining to the act or omission are to be found; irrespective of whether the act or omission is ongoing or has ceased; or	(1) any act or omission contrary to the Union laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in at least two Member States other than the Member State where the act or omission originated or took place, or where the trader responsible for the act or omission is established, or where evidence or assets pertaining to the act or omission are to be found; irrespective of whether the act or omission is ongoing or has ceased; or [Am. 47]	(1) any act or omission contrary to the Union laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in at least two Member States other than the Member State where the act or omission originated or took place, or where the trader responsible for the act or omission is established, or where evidence or assets of the trader pertaining to the act or omission are to be found; irrespective of whether the act or omission is ongoing or has ceased; or	GREEN (1) any act or omission contrary to the Union laws that protect consumers' interests that harmed, harms, or is likely to harm the collective interests of consumers residing in at least two Member States other than the Member State where the act or omission originated or took place, or where the trader responsible for the act or omission is established, or where evidence or assets of the trader pertaining to the act or omission are to be found; irrespective of whether the act or omission is ongoing or has ceased; or
90	Article 3 - paragraph 1 - point c - point 2	(2) any acts or omissions contrary to the laws that protect consumers interests that have common features, such as the same unlawful practice, the same interest being infringed or that are occurring concurrently, in at least two Member States;	(2) any acts or omissions contrary to the Union laws that protect consumers interests that harmed, harm, or are likely to harm consumers' collective interests and that have common features, such as the same unlawful practice, the same interest being infringed or that are occurring	(2) any acts or omissions contrary to the Union laws that protect consumers interests that harmed, harms, or is likely to harm the collective interests of consumers and have common features, such as the same unlawful practice, the same interest being infringed or and that are occurring	GREEN (2) any acts or omissions contrary to the Union laws that protect consumers interests that harmed, harm, or are likely to harm consumers' collective interests and that have common features, such as including the same unlawful practice, the same

			concurrently, in at least two Member States; [Am. 48]	concurrently, <u>committed by the same trader</u> , in at least two three Member States;	interest being infringed or <u>and</u> that are occurring concurrently, <u>committed by the same trader</u> , in at least two three Member States;
91	Article 3 - paragraph 1 - point ca (new)		<i>(ca) 'widespread infringement with a Union dimension' means a widespread infringement that harmed, harms or is likely to harm consumer's collective interests in a majority of Member States accounting together for at least a majority of the population of the Union; [Am. 49]</i>		GREEN <i><u>(ca) 'widespread infringement with a Union dimension' means a widespread infringement that harmed, harms or is likely to harm consumer's collective interests in two thirds of Member States accounting together for two thirds of the population of the Union;</u></i>
92	Article 3 - paragraph 1 - point cb (new) [EP] and - point ca (new) [Council]		<i>(cb) 'competent authority' means any public authority established at national, regional or local level with specific responsibilities to enforce Union laws that protect consumers' interests; [Am. 50]</i>	<u>(ca) 'competent authority' means any public authority established either at national, regional or local level which is responsible for enforcing the Union laws that protect consumers' interests and designated according to paragraph 1 of Article 5;</u>	GREEN <i><u>(ca) 'competent authority' means any public authority established either at national, regional or local level which is responsible for enforcing the Union laws that protect consumers' interests and designated according to paragraph 1 of Article 5;</u></i>
93	Article 3 - paragraph 1 - point cc (new) [EP] and - point cb (new) [Council]		<i>(cc) 'single liaison office' means the public authority in each Member State designated as responsible for coordinating the application of this Regulation within that Member State; [Am. 51]</i>	<u>(cb) 'single liaison office' means the public authority in each Member State designated as responsible for coordinating the application of this Regulation within that Member State;</u>	GREEN <i><u>(cb) 'single liaison office' means the public authority in each Member State designated as responsible for coordinating the application of this Regulation within that Member State;</u></i>

94	Article 3 - paragraph 1 - point cd (new) [EP] and - point ea (new) [Council; moved]		<i>(cd) 'designated body' means a body that a Member State can designate and which has a legitimate interest in the cessation or prohibition of infringements of Union laws that protect consumers' interests; [Am. 52]</i>	<u>(ea) 'designated body' means a body having a legitimate interest in the cessation or prohibition of infringements of the Union laws that protect consumers' interests designated by a competent authority to gather the necessary information and to take the necessary enforcement measures available to it under national law to bring about the cessation or prohibition of the infringement acting on behalf of that competent authority,</u>	GREEN <i>(ea) 'designated body' means a body having a legitimate interest in the cessation or prohibition of infringements of the Union laws that protect consumers' interests designated by a competent authority to gather the necessary information and to take the necessary enforcement measures available to it under national law to bring about the cessation or prohibition of the infringement acting on behalf of that competent authority,</i>
95	Article 3 - paragraph 1 - point d	(d) 'applicant authority' means the competent authority that makes a request for mutual assistance;	(d) 'applicant authority' means the competent authority that makes a request for mutual assistance;	(d) 'applicant authority' means the competent authority that makes a request for mutual assistance;	GREEN (d) 'applicant authority' means the competent authority that makes a request for mutual assistance;
96	Article 3 - paragraph 1 - point e	(e) 'requested authority' means the competent authority that receives a request for mutual assistance;	(e) 'requested authority' means the competent authority that receives a request for mutual assistance;	(e) 'requested authority' means the competent authority that receives a request for mutual assistance;	GREEN (e) 'requested authority' means the competent authority that receives a request for mutual assistance;
97	Article 3 - paragraph 1 - point f	(f) 'trader' means any natural or legal person, irrespective of whether privately or publicly owned, who is acting for purposes relating to his trade, business, craft or profession, including through	(f) 'trader' means any natural or legal person, irrespective of whether privately or publicly owned, who is acting for purposes relating to his trade, business, craft or profession, including through	(f) 'trader' means any natural or legal person, irrespective of whether privately or publicly owned, who is acting for purposes relating to his trade, business, craft or profession, including through	(f) 'trader' means any natural or legal person, irrespective of whether privately or publicly owned, who is acting for purposes relating to his trade, business, craft or profession, including through

		any other person acting in his name or on his behalf;	any other person acting in his name or on his behalf;	any other person acting in his name or on his behalf;	any other person acting in his name or on his behalf;
98	Article 3 - paragraph 1 - point fa (new)		<i>(fa) 'consumer' means any natural person who is acting for purposes which are outside his trade, business, craft or profession; [Am. 53]</i>		GREEN <i><u>(fa) 'consumer' means any natural person who is acting for purposes which are outside his trade, business, craft or profession;</u></i>
99	Article 3 - paragraph 1 - point g	(g) 'market surveillance' means activities, actions or measures of a competent authority designed to detect whether intra-Union infringements or widespread infringements have taken or are taking place;	(g) 'market surveillance' means activities, actions or measures of a competent authority designed to detect whether intra-Union infringements or widespread infringements have taken or are taking place;	deleted	GREEN deleted
100	Article 3 - paragraph 1 - point h	(h) 'consumer complaint' means a statement, supported by reasonable evidence, that a trader has committed, or is likely to commit, an infringement of the laws that protect consumers' interests;	(h) 'consumer complaint' means a statement, supported by reasonable evidence, that a trader has committed, or is likely to commit, an infringement of the laws that protect consumers' interests;	deleted	GREEN (h) 'consumer complaint' means a statement, supported by reasonable evidence, that a trader has committed, or is likely to commit, an infringement of the laws that protect consumers' interests;
101	Article 3 - paragraph 1 - point i	(i) 'harm to collective interests of consumers' means actual or potential harm to the interests of a number of consumers that are concerned by intra-Union infringements or widespread infringements; and that shall be presumed in particular where the	(i) 'harm to collective interests of consumers' means actual or potential harm to the interests of a number of consumers that are concerned by intra-Union infringements, or widespread infringements; and that shall be presumed in particular where the	(i) ' harm to collective interests of consumers' means actual or potential harm to the interests of a number of consumers that are concerned harmed or are likely to be harmed by intra-Union infringements or widespread infringements; and that shall be	GREEN (i) 'harm to collective interests of consumers' means actual or potential harm to the interests of a number of consumers that are concerned by intra-Union infringements, or widespread infringements; and that shall be

		infringement potentially; or actually harmed, harms or is likely to harm a significant number of consumers in a similar situation.	infringement potentially; or actually harmed, harms or is likely to harm a significant number of consumers in a similar situation. <i>or widespread infringements with a Union dimension; [Am. 54]</i>	presumed in particular where the infringement potentially; or actually harmed, harms or is likely to harm a significant number of consumers in a similar situation	presumed in particular where the infringement potentially; or actually harmed, harms or is likely to harm a significant number of consumers in a similar situation. <i><u>or widespread infringements with a Union dimension;</u></i> <i>Note: Notions “widespread infringement” and “widespread infringement with a Union dimension” to be checked and adapted throughout the Regulation by lawyers-linguists</i>
102	Article 3 - paragraph 1 - point ia (new)		<i>(ia) 'risk of serious and irreparable harm to consumers' means the risk of a situation likely to cause serious damage which can no longer be remedied; [Am. 55]</i>		GREEN <i>Note: agreement not to endorse</i>
103				<u>(ia) ‘online interface’ means any software, including a website or part of a website and applications, operated by or on behalf of a trader, which serves as a means to give consumers access to the trader's goods or services.</u>	GREEN <i><u>(ia) ‘online interface’ means any software, including a website or part of a website and applications, operated by or on behalf of a trader, which serves as a means to give consumers access to the trader's goods or services.</u></i>
104	Article 3 - paragraph 1 - point ib (new)		<i>(ib) 'sweeps' means a concerted investigation of consumer markets through simultaneous</i>		GREEN <i><u>(ib) 'sweeps' means a concerted investigation of consumer</u></i>

			<i>coordinated control actions to identify infringements of Union laws that protect consumers' interests. [Am. 56]</i>		<u><i>markets through simultaneous coordinated control actions to identify infringements of Union laws that protect consumers' interests.</i></u>
105	Article 4	<i>Article 4</i>	<i>Article 4</i>	<i>Article 4</i>	GREEN
106	Article 4 - title	Limitation periods for infringements	Limitation periods for period for imposing sanctions, for ordering that consumers be compensated and for ordering the restitution of profits obtained as a result of infringements	Notification of limitation periods for infringements	GREEN <i>Notification of limitation periods for infringements</i>
107	Article 4 - paragraph 1 - subparagraph 1	1. The competent authorities may investigate infringements referred to in Article 2 and prohibit traders from engaging in such infringements in the future.	1. The competent authorities may investigate infringements referred to in Article 2(1) and prohibit prevent traders from engaging in such infringements in the future.	deleted	GREEN deleted
108	Article 4 - paragraph 1 - subparagraph 2	The competent authorities may impose penalties for those infringements within five years from the cessation of the infringement.	The competent authorities may impose penalties for those infringements exercise the following powers within five years from the cessation of the infringement.:		GREEN deleted

109	Article 4 - paragraph 1 - subparagraph 1 - point a (new)		<i>(a) the power to impose sanctions, as provided for in point (m) of Article 8(2);</i>		GREEN <i>Note: agreement not to endorse</i>
110	Article 4 - paragraph 1 - subparagraph 1 - point b (new)		<i>(b) the power to order the trader responsible for the infringement to compensate consumers that have suffered harm as a consequence of that infringement, as provided for in point (n) of Article 8(2); and</i>		GREEN <i>Note: agreement not to endorse</i>
111	Article 4 - paragraph 1 - subparagraph 1 - point c (new)		<i>(c) the power to order the restitution of profits obtained as a result of infringements, as provided for in point (o) of Article 8(2).</i>		GREEN <i>Note: agreement not to endorse</i>
112	Article 4 - paragraph 1 - subparagraph 3		<i>The competent authorities may, where necessary, exercise those powers based upon evidence that is outside of the limitation period referred to in the second subparagraph.</i>		GREEN <i>Note: agreement not to endorse</i>
113	Article 4 - paragraph 2	2. The limitation period for the imposition of penalties shall begin to run on the day on which the infringement ceased.	2. The limitation period for the imposition of penalties exercising the powers referred to in paragraph 1 shall begin to run on the day on which the infringement ceased.	deleted	GREEN deleted

114	Article 4 - paragraph 3	3. Any action taken by the competent authority for the purpose of the investigation or enforcement proceedings in respect of the infringement shall suspend the limitation period for the imposition of penalties until the final decision concerning the matter is adopted. The limitation period for the imposition of penalties shall be suspended for as long as the decision, order or other action of the competent authority is the subject of proceedings pending before a court.	3. Any action taken by the competent authority for the purpose of the investigation or enforcement proceedings in respect of the infringement shall suspend the limitation period for the imposition of penalties <i>exercising the powers referred to in paragraph 1</i> until the final decision concerning the matter is adopted. The <i>That</i> limitation period for the imposition of penalties shall be suspended for as long as the decision, order or other action of the competent authority is the subject of proceedings pending before a court. [Am. 57]	deleted	GREEN deleted
115	Article 4 - single paragraph [Council]			<u>The single liaison offices shall notify the Commission of the limitation periods in place in their jurisdiction applicable to taking enforcement measures pursuant to Article 8(3). The Commission shall summarise the notified limitation periods and make the summary available to competent authorities.</u>	GREEN <i>The single liaison offices shall notify the Commission of the limitation periods in place in their jurisdiction applicable to taking enforcement measures pursuant to Article 8(3). The Commission shall summarise the notified limitation periods and make the summary available to competent authorities.</i>
116	CHAPTER II	CHAPTER II	CHAPTER II	CHAPTER II	CHAPTER II
117	CHAPTER II - title	COMPETENT AUTHORITIES AND THEIR POWERS	COMPETENT AUTHORITIES AND THEIR POWERS	COMPETENT AUTHORITIES AND THEIR POWERS	COMPETENT AUTHORITIES AND THEIR POWERS

118	Article 5	<i>Article 5</i>	<i>Article 5</i>	<i>Article 5</i>	<i>Article 5</i>
119	Article 5 - title	Competent authorities and single liaison offices	Competent authorities and single liaison offices	Competent authorities and single liaison offices	GREEN Competent authorities and single liaison offices
120	Article 5 - paragraph 1	1. Each Member State shall designate as the competent authorities public authorities established either at national, regional or local level with specific responsibilities to enforce the laws that protect consumers' interests.	1. Each Member State shall designate as the competent authorities public authorities established either at national, regional or local level with specific responsibilities to enforce the laws that protect consumers' interests and a single liaison office that are responsible for the application of this Regulation.	1. Each Member State shall designate as the competent authorities public authorities established either at national, regional or local level with specific responsibilities to enforce the laws that protect consumers' interests and the single liaison office responsible for the application of this Regulation.	GREEN 1. Each Member State shall designate as the competent authorities public authorities established either at national, regional or local level with specific responsibilities to enforce the laws that protect consumers' interests and the single liaison office that are responsible for the application of this Regulation.
121	Article 5 - paragraph 2	2. Competent authorities shall fulfil their obligations under this Regulation as though acting on behalf of consumers in their own Member State and on their own account.	2. Competent authorities shall fulfil their obligations under this Regulation as though acting on behalf of consumers in their own Member State and on their own account.	2. Competent authorities shall fulfil their obligations under this Regulation as though acting on behalf of consumers in their own Member State and on their own account.	GREEN 2. Competent authorities shall fulfil their obligations under this Regulation as though acting on behalf of consumers in their own Member State and on their own account.
122	Article 5 - paragraph 3	3. Each Member State shall designate one competent authority as single liaison office.	deleted	deleted	GREEN deleted
123	Article 5 - paragraph 4	4. The single liaison office shall be responsible for coordinating investigation and enforcement activities related to intra-Union infringements and widespread infringements by the competent	4. The single liaison office shall be responsible for coordinating investigation and enforcement activities related to intra-Union infringements and widespread infringements by , as between the	4. Within each Member State the single liaison office shall be responsible for coordinating investigation and enforcement activities related to intra-Union infringements and widespread	GREEN 4. Within each Member State the single liaison office shall be responsible for coordinating investigation and enforcement activities related to intra-Union

		authorities, other public authorities as set out in Article 6, designated bodies as set out in Article 13 and entities participating in the alert mechanism as set out in Article 34.	competent authorities, other public authorities as set out <i>referred to</i> in Article 6, designated bodies as set out in Article 13 and entities participating in the alert mechanism as set out <i>referred to</i> in Article 34-35 , <i>investigation and enforcement activities relating to intra-Union infringements, widespread infringements and widespread infringements with a Union dimension.</i>	infringements by the competent authorities, other public authorities as set out in Article 6, and, if applicable , designated bodies as set out in Article 13 6a and entities participating in the alert mechanism as set out in Article 34.	infringements and widespread infringements by the competent authorities, other public authorities as set out in Article 6, and, if applicable , designated bodies as set out in Article 13 6a [and entities participating in the alert mechanism as set out in Article 34 35]. <i>Note: Notions “widespread infringement” and “widespread infringement with a Union dimension” to be checked and adapted throughout the Regulation by lawyers-linguists</i>
124	Article 5 - paragraph 5	5. Member States shall ensure that competent authorities and single liaison offices have the adequate resources necessary for the application of this Regulation and for the effective use of their powers pursuant to Article 8, including sufficient budgetary and other resources, expertise, procedures and other arrangements.	5. Member States shall ensure that competent authorities and single liaison offices have the adequate necessary resources necessary for the application of this Regulation and for the effective use of their powers pursuant to Article 8 , including sufficient budgetary and other resources, expertise, procedures and other arrangements.	5. Member States shall ensure that competent authorities and single liaison offices have the adequate resources necessary for the application of this Regulation and for the effective use of their powers pursuant to Article 8 , including sufficient budgetary and other resources, expertise, procedures and other arrangements.	GREEN 5. Member States shall ensure that competent authorities and single liaison offices have the adequate and necessary resources necessary for the application of this Regulation and for the effective use of their powers pursuant to Article 8 , including sufficient budgetary and other resources, expertise, procedures and other arrangements.
125	Article 5 - paragraph 6	6. Where there is more than one competent authority on their territory, Member States shall ensure that their respective duties are clearly defined and that those	6. Where there is more than one competent authority on their territory, Member States shall ensure that their respective duties are clearly defined and that those	6. Where there is more than one competent authority on their territory, Member States shall ensure that their respective duties are clearly defined and that those	GREEN 6. Where there is more than one competent authority on their territory, Member States shall ensure that their respective duties

		authorities collaborate closely so that they can discharge their respective duties effectively.	authorities collaborate closely so that they can discharge their respective duties effectively. [Am. 58]	authorities collaborate closely so that they can discharge their respective duties effectively.	are clearly defined and that those authorities collaborate closely so that they can discharge their respective duties effectively.
126	Article 6	<i>Article 6</i>	<i>Article 6</i>	<i>Article 6</i>	<i>Article 6</i>
127	Article 6 - title	Cooperation with other public authorities and designated bodies	Cooperation with other public authorities and designated bodies	Cooperation with other public authorities and designated bodies for application of this Regulation within Member States	GREEN Cooperation with other public authorities and designated bodies for application of this Regulation within Member States
128	Article 6 - paragraph 1	1. Each Member State may impose an obligation on other public authorities to assist competent authorities in the fulfilment of their obligations.	1. Each Member State may impose an obligation on other public authorities to assist competent authorities in the fulfilment of their obligations.	1. Each Member State may impose an obligation on other public authorities to assist competent authorities in the fulfilment of their obligations. <u>For the proper application of this Regulation each Member States shall ensure that its competent authorities, other public authorities and, if applicable, designated bodies cooperate effectively with each other.</u>	GREEN 1. Each Member State may impose an obligation on other public authorities to assist competent authorities in the fulfilment of their obligations. <u>For the proper application of this Regulation each Member States shall ensure that its competent authorities, other public authorities and, if applicable, designated bodies cooperate effectively with each other.</u>
129	Article 6 - paragraph 2	2. A competent authority may request the other public authorities referred to in paragraph 1 to take all necessary enforcement measures available to them under national law to bring about the cessation or prohibition of intra-	2. A competent authority may request the other public authorities referred to in paragraph 1 to take all necessary enforcement measures available to them under national law to bring about the cessation or prohibition of intra-	2. A competent authority may request the Other public authorities referred to in paragraph 1 to <u>shall</u> take, <u>upon request from a competent authority</u> , all necessary enforcement measures available to them under national law <u>in order to</u> bring about the	GREEN 2. A competent authority may request the Other public authorities referred to in paragraph 1 to <u>shall</u> take, <u>upon request from a competent authority</u> , all necessary enforcement measures available to them under national

		Union infringements and widespread infringements.	Union infringements and widespread infringements.	cessation or prohibition of intra-Union infringements and widespread infringements.	law <i>in order to</i> bring about the cessation or prohibition of intra-Union infringements and widespread infringements.
130	Article 6 - paragraph 3	3. The Member States shall ensure that the other public authorities have the means and powers necessary to cooperate effectively with the competent authorities in the application of this Regulation. Those other public authorities shall regularly inform the competent authority about the measures taken in the application of this Regulation.	3. The Member States shall ensure that the other public authorities have the means and powers necessary to cooperate effectively with the competent authorities in the application of this Regulation. Those other public authorities shall regularly inform the competent authority about the measures taken in the application of this Regulation.	3. The Member States shall ensure that the other public authorities have the means and powers necessary to cooperate effectively with the competent authorities in the application of this Regulation. Those other public authorities shall regularly inform the competent authority about the measures taken in the application of this Regulation.	GREEN 3. The Member States shall ensure that the other public authorities have the means and powers necessary to cooperate effectively with the competent authorities in the application of this Regulation. Those other public authorities shall regularly inform the competent authority about the measures taken in the application of this Regulation.
131	Article 6 - paragraph 4	4. Each Member State may designate bodies having a legitimate interest in the cessation or prohibition of infringements ("designated bodies") to gather the necessary information and to take the necessary enforcement measures available to them under national law on behalf of a requested competent authority.	4. Each Member State may <i>impose an obligation on</i> designate bodies having a legitimate interest in the cessation or prohibition of infringements ("designated bodies") to gather the necessary information and to take the necessary enforcement measures available to them under national law on behalf of a requested competent authority. [Am. 59]	deleted	GREEN deleted
132	Article 6 - paragraph 5	5. Member States shall ensure cooperation between the competent authorities and designated bodies, in particular to ensure that infringements referred	5. Member States shall ensure cooperation between the competent authorities and designated bodies, in particular to ensure that infringements referred	deleted	GREEN deleted

		to in Article 2 are brought to the attention of competent authorities without delay.	to in Article 2(<i>I</i>) are brought to the attention of competent authorities without delay. [Am. 60]		
133	Article 6a (new)			<u>Article 6a</u>	GREEN <u>Article 6a</u>
134	Article 6a (new) - title		<i>(Note: see EP text on Article 13)</i>	<u>Role of designated bodies</u>	GREEN <u>Role of designated bodies</u>
135	Article 6a (new) - paragraph 1			<u>1. Where applicable and in accordance with national law, a competent authority ('instructing authority') may instruct a designated body to gather the necessary information regarding an intra-Union infringement or widespread infringement or to take the necessary enforcement measures to bring about the cessation or prohibition of that infringement, if, after consultation with the applicant authority or the other competent authorities concerned, both applicant and requested authority or all competent authorities concerned are in agreement that by these means it is likely that the necessary information will be obtained or the cessation or the prohibition of the infringement will be to</u>	GREEN <u>1. Where applicable and in accordance with national law, a competent authority ('instructing authority') may instruct a designated body to gather the necessary information regarding an intra-Union infringement or widespread infringement or to take the necessary enforcement measures to bring about the cessation or prohibition of that infringement, if, after consultation with the applicant authority or the other competent authorities concerned, both applicant and requested authority or all competent authorities concerned are in agreement that by these means it is likely that the necessary information will be obtained or the cessation or the prohibition of the infringement will be to brought about in at</u>

				<u>brought about in at least equally efficient and effective a way as action by the instructing authority.</u>	<u>least equally efficient and effective a way as action by the instructing authority.</u>
136	Article 6a (new) - paragraph 2			<u>2. If the applicant authority or the other authorities concerned are of the opinion that the conditions set out under paragraph 1 are not fulfilled, they shall inform the instructing authority in writing without delay, setting out the grounds for their opinion. In case of disagreement, the instructing authority may refer the matter to the Commission, which shall issue an opinion without delay.</u>	GREEN <u>2. If the applicant authority or the other authorities concerned are of the opinion that the conditions set out under paragraph 1 are not fulfilled, they shall inform the instructing authority in writing without delay, setting out the grounds for their opinion. In case of disagreement, the instructing authority may refer the matter to the Commission, which shall issue an opinion without delay.</u>
137	Article 6a (new) - paragraph 3			<u>3. In the event of a failure by the designated body to obtain the necessary information or to bring about the cessation or prohibition of the infringement without delay or when the competent authorities concerned are not in agreement that the designated body may be instructed pursuant to paragraph 1, the obligations of the instructing authority to take the necessary investigation or enforcement measure shall remain.</u>	GREEN <u>3. In the event of a failure by the designated body to obtain the necessary information or to bring about the cessation or prohibition of the infringement without delay or when the competent authorities concerned are not in agreement that the designated body may be instructed pursuant to paragraph 1, the obligations of the instructing authority to take the necessary investigation or enforcement measure shall remain.</u>

138	Article 6a (new) - paragraph 4			<u>4. The instructing authority shall take all necessary measures to prevent the disclosure of information which is subject to the rules on confidentiality and professional and commercial secrecy set out in Article 41.</u>	GREEN <u>4. The instructing authority shall take all necessary measures to prevent the disclosure of information which is subject to the rules on confidentiality and professional and commercial secrecy set out in Article 41.</u>
139	Article 7	Article 7	Article 7	Article 7	Article 7
140	Article 7 - title	Information and lists	Information and lists	Information and lists	GREEN Information and lists
141	Article 7 - paragraph 1	1. Each Member State shall communicate without delay to the Commission and the other Member States the identities of the competent authorities, of the single liaison office, of the designated bodies as set out in Article 13 and of the entities participating in the alert mechanism as set out in Article 34, as well as any changes thereto.	1. Each Member State shall communicate without delay to the Commission: and the other Member States the identities of the competent authorities, of the single liaison office, of the designated bodies as set out in Article 13 and of the entities participating in the alert mechanism as set out in Article 34, as well as any changes thereto. [Am. 61]	1. Each Member State shall communicate without delay to the Commission and the other Member States the identities of the competent authorities, of the single liaison office, of the designated bodies as set out in Article 13 6a and of the entities participating in the alert mechanism as set out in Article 34, as well as any changes thereto.	GREEN 1. Each Member State shall communicate without delay to the Commission: and the other Member States the identities of the competent authorities, of the single liaison office, of the designated bodies as set out in Article 13 and of the entities participating in the alert mechanism as set out in Article 34, as well as any changes thereto.
142	Article 7 - paragraph 1 - point a (new)		<i>(a) the identities and contact details of the competent authorities, of the single liaison office, of the designated bodies and of the entities participating in the alert mechanism as referred to in Article 35; [Am. 62]</i>		GREEN <u>(a) the identities and contact details of the competent authorities, of the single liaison office, of the designated bodies and of the entities participating in the alert mechanism as referred to in Article 35;</u>

143	Article 7 - paragraph 1 - point b (new)		<i>(b) information about the organisation, powers and responsibilities of the competent authorities; and [Am. 63]</i>		GREEN <i><u>(b) information about the organisation, powers and responsibilities of the competent authorities; and</u></i>
144	Article 7 - paragraph 1 - point c (new)		<i>(c) any changes to the information mentioned in points (a) and (b). [Am. 64]</i>		GREEN <i><u>(c) any changes to the information mentioned in points (a) and (b).</u></i>
145	Article 7 - paragraph 2	2. The Commission shall maintain and update a publicly available list of single liaison offices, competent authorities, designated bodies and entities on its website.	2. The Commission shall maintain and update a <i>on its website the information referred to in paragraph 1 and make it</i> publicly available list of single liaison offices, competent authorities, designated bodies and entities on its website. <i>list of single liaison offices, competent authorities, designated bodies and entities on its website.</i> [Am. 65]	2. The Commission shall maintain and update a publicly available list of single liaison offices, competent authorities, designated bodies and entities as set out in Article 35 on its website.	GREEN 2. The Commission shall maintain and update a publicly available list of single liaison offices, competent authorities, designated bodies and entities as set out in Article 35 on its website.
146	Article 8	<i>Article 8</i>	<i>Article 8</i>	<i>Article 8</i>	GREEN
147	Article 8 - title	Minimum powers of competent authorities	Minimum Powers of competent authorities	Minimum powers of competent authorities	GREEN Minimum powers of competent authorities
148	Article 8 - paragraph 1	1. Each competent authority shall have the investigation and enforcement powers necessary for the application of this Regulation and shall exercise them in accordance with this Regulation and national law.	1. Each competent authority shall have <i>Member State shall confer on their competent authorities</i> the investigation and enforcement powers <i>and shall provide them with the resources</i> necessary for the application of this Regulation and shall exercise them in	1. Each competent authority shall have the investigation and enforcement powers pursuant to paragraphs 2, 3, 4 and 5 necessary for the application of this Regulation and shall exercise them in accordance with this Regulation and national law	GREEN 1. Each competent authority shall have the investigation and enforcement powers pursuant to paragraphs 2, 3, 4 and 5 necessary for the application of this Regulation and shall exercise them in accordance with this

			accordance with this Regulation and national law.	<u>under the conditions set out in Article 9.</u>	Regulation and national law <u>under the conditions set out in Article 9.</u> <i>Note: reference to paragraphs to be checked by LL</i>
149	Article 8 - paragraph 1a (new)		<i>1a. Notwithstanding paragraph 1, Member States may decide not to confer all the powers to each competent authority provided that every power can be effectively exercised.</i>	<u>1a. Notwithstanding paragraph 1, Member States may decide not to confer all the powers to each competent authority provided that every power can be effectively exercised as necessary in relation to any infringement covered by this Regulation under the conditions set out in Article 9.</u>	GREEN <u>1a. Notwithstanding paragraph 1, Member States may decide not to confer all the powers to each competent authority provided that every power can be effectively exercised as necessary in relation to any infringement covered by this Regulation under the conditions set out in Article 9.</u>
150	Article 8 - paragraph 2	2. Each competent authority shall have at least the following powers and exercise them under the conditions set out in Article 9, to:	2. Each competent authority <i>In order to carry out the duties assigned to them by this Regulation, the competent authorities in each Member State</i> shall have at least the following powers and <i>shall</i> exercise them under the conditions set out in Article 9, to:	2. Each <u>Competent authorities</u> shall have at least the following <u>investigation</u> powers and exercise them under the conditions set out in Article 9, to:	GREEN 2. Each <u>Competent authorities</u> shall have at least the following <u>investigation</u> powers and exercise them under the conditions set out in Article 9, to:
151	Article 8 - paragraph 2 - point a	(a) have access to any relevant document, data or information related to an infringement under this Regulation, in any form or format and irrespective of the medium on which or the place where they are stored;	(a) <i>the power to</i> have access to any relevant document, data or information related to an infringement under this Regulation, in any form or format and irrespective of the medium on which or the place where they are stored;	(a) have access to any relevant document, data or information related to an <u>intra-Union infringement and widespread</u> infringement under this Regulation , in any form or format and irrespective of the medium on	GREEN (a) <u>the power to</u> have access to any relevant document, data or information related to an infringement under this Regulation, in any form or format and irrespective of the medium on

				which or the place where they are stored;	which or the place where they are stored; <i>Note: Lawyers linguists to check best wording to cover the three types of infringements</i>
152	Article 8 - paragraph 2 - point b	(b) require the supply by any natural or legal person, including banks, internet service providers, domain registries and registrars and hosting service providers of any relevant information, data or document in any format or form and irrespective of the medium on which or the place where they are stored, for the purpose of among others identifying and following financial and data flows, or of ascertaining the identity of persons involved in financial and data flows, bank account information and ownership of websites;	(b) <i>the power to</i> require the supply by any natural or legal person, including banks, <i>payment service providers</i> , internet service providers, domain registries and registrars and hosting service providers of any relevant information, data or document in any <i>the</i> format or form <i>in which it is stored</i> , and irrespective of the medium on which or the place <i>of storage</i> , where they are stored, for the purpose of among others identifying and following financial and data flows, or of ascertaining the identity of persons involved in financial and data flows, bank account information and ownership of websites <i>when the information, data or document in question is related to the subject matter of an investigation</i> ;	(b) require the supply by any natural or legal person, including banks, internet service providers, domain registries and registrars and hosting service providers of any relevant information, data or document in any format or form and irrespective of the medium on which or the place where they are stored, <u>from any public authority, body or agency within the Member State of the competent authority and/or any natural or legal person</u> for the purpose of among others identifying and following <u>establishing whether an intra-Union infringement or a widespread infringement occurs and establishing the particularities of such infringement, including the tracing</u> financial and data flows, or of ascertaining the identity of persons involved in financial and data flows, bank account	GREEN (b) require the supply by any natural or legal person, including banks, internet service providers, domain registries and registrars and hosting service providers of any relevant information, data or document in any format or form and irrespective of the medium on which or the place where they are stored, <u>from any public authority, body or agency within the Member State of the competent authority and/or any natural or legal person</u> for the purpose of among others identifying and following <u>establishing whether an intra-Union infringement or a widespread infringement occurs and establishing the particularities of such infringement, including the tracing</u> financial and data flows, or of ascertaining the identity of persons involved in financial and data flows, bank account

				information and ownership of websites;	information and ownership of websites;
153	Article 8 - paragraph 2 - point c	(c) require any public authority, body or agency within the Member State of the competent authority to supply any relevant information, data or document in any format or form and irrespective of the medium on which or the place where they are stored, for the purpose among others, of identifying and following of financial and data flows, or of ascertaining the identity of persons involved in financial and data flows, bank account information and ownership of websites;	(c) <i>the power to</i> require any public authority, body or agency within the Member State of the competent authority to supply any relevant information, data or document in any format or form and irrespective of the medium on which or the place where they are stored, for the purpose among others , of identifying and following of financial and data flows, or of ascertaining the identity of persons involved in financial and data flows, bank account information and ownership of websites <i>when the information, data or document in question is related to the subject matter of an investigation</i> ;	deleted	GREEN <i>Note: deletion accepted; text integrated under point (b) above (row 152)</i>

<p>154</p>	<p>Article 8 - paragraph 2 - point d</p>	<p>(d) carry out the necessary on-site inspections, including in particular the power to enter any premises, land or means of transport or to request other authorities to do so in order to examine, seize, take or obtain copies of information, data or documents, irrespective of the medium on which they are stored; to seal any premises or information, data or documents for a necessary period and to the extent necessary for the inspection; to request any representative or member of the staff of the trader concerned to give explanations on facts, information or documents relating to the subject matter of the inspection and to record the answers;</p>	<p>(d) <i>the power to</i> carry out the necessary on-site inspections, including in particular the power to enter any premises, land or means of transport <i>that the trader uses for purposes related to his trade, business, craft or profession</i>, or to request other authorities to do so in order to examine, seize, take or obtain copies of information, data or documents, irrespective of the medium on which they are stored; to seal any premises or information, data or documents for a necessary period and to the extent necessary for the inspection; to request any representative or member of the staff of the trader concerned to give explanations on facts, information or documents relating to the subject matter of the inspection and to record the answers;</p>	<p>(d) carry out the necessary on-site inspections of business, including in particular the power to enter any premises, land or means of transport or to request other authorities to do so in order to examine, seize, take or obtain copies of information, data or documents, irrespective of the medium on which they are stored; to seal seize any premises or information, data or documents for a necessary period and to the extent necessary for the inspection; to request any representative or member of the staff of the trader concerned to give explanations on facts, information or documents relating to the subject matter of the inspection and to record the answers;</p>	<p>GREEN</p> <p>(d) <i>the power to</i> carry out the necessary on-site inspections, including in particular the power to enter any premises, land or means of transport <i>that the trader uses for purposes related to his trade, business, craft or profession</i>, or to request other authorities to do so in order to examine, seize, take or obtain copies of information, data or documents, irrespective of the medium on which they are stored; to seal seize any premises or information, data or documents for a necessary period and to the extent necessary for the inspection; to request any representative or member of the staff of the trader concerned to give explanations on facts, information or documents relating to the subject matter of the inspection and to record the answers;</p>
<p>155</p>	<p>Article 8 - paragraph 2 - point da (new)</p>		<p><i>(da) the power to request any representative or member of the staff of the trader concerned to give explanations or provide facts, information or documents relating to the subject matter of</i></p>		<p>GREEN</p> <p><i>Note: point not endorsed; left as in original proposal under point (d) above (row 154)</i></p>

			<i>the inspection and record the answers;</i>		
156	Article 8 - paragraph 2 - point e	(e) purchase goods or services as test purchases in order to detect infringements under this Regulation and obtain evidence;	(e) <i>the power to</i> purchase goods or services as test purchases, <i>including under a cover identity, to inspect them and to reverse engineer them</i> in order to detect infringements under this Regulation and obtain evidence; <i>depending on the nature of their intended use, samples which cannot be returned to the trader in their original condition shall be bought;</i>	(e) purchase goods or services as test purchases and, where necessary, act under a cover identity in order to detect intra-Union infringements and widespread infringements under this Regulation and obtain evidence;	GREEN (e) <i>the power to</i> purchase goods or services as test purchases, <i>including, where necessary, under a cover identity, to inspect them and to observe, study, disassemble or test them</i> in order to detect infringements under this Regulation and obtain evidence;

157	Article 8 - paragraph 2 - point f	(f) purchase goods or services under a cover identity in order to detect infringements and to obtain evidence;	deleted	deleted	GREEN deleted
158	Article 8 - paragraph 2 - point g	(g) adopt interim measures to prevent the risk of serious and irreparable harm to consumers, in particular the suspension of a website, domain or a similar digital site, service or account;	(g) <i>the power to</i> adopt interim measures, <i>where there are no other means available</i> to prevent the risk of serious and irreparable harm to <i>collective interests of</i> consumers, in particular the suspension of <i>requiring hosting service providers to remove content or to suspend</i> a website, domain or a similar digital site, service or account, <i>or requiring domain registries and registrars to put a fully qualified domain name on hold for a specified period of time;</i>	deleted (Note: see Council paragraph 2a (new), point a)	GREEN Note: replaced by Council's text in Row 170
159	Article 8 - paragraph 2 - point h	(h) start investigations or procedures to bring about the cessation or prohibition of intra-Union infringements or widespread infringements of its own initiative and where appropriate to publish information about this;	(h) <i>the power to</i> start investigations or procedures to bring about the cessation or prohibition of intra-Union infringements, <i>widespread infringements</i> or widespread infringements <i>with a Union dimension</i> of its own initiative and where appropriate to publish information about this;	deleted	GREEN Note: linked to Row 177 Council, covered there
160	Article 8 - paragraph 2 - point i	(i) obtain a commitment from the trader responsible for the intra-Union infringement or widespread	(i) <i>the power to seek to</i> obtain <i>and/or accept</i> a commitment from the trader responsible for the intra-	deleted	GREEN

		infringement to cease the infringement and where appropriate to compensate consumers for the harm caused;	Union infringement, widespread infringement or widespread infringement infringements with a Union dimension to cease the infringement and where appropriate to compensate consumers for the harm caused;	(<u>Note</u> : see Council paragraph 2a (new), point b)	Note: linked to Row 171 Council, covered there
161	Article 8 - paragraph 2 - point j	(j) request in writing the cessation of the infringement by the trader;	deleted	deleted (<u>Note</u> : see Council paragraph 2a (new), point c) Row 172	GREEN Note: linked to Row 172 Council, covered there
162	Article 8 - paragraph 2 - point k	(k) bring about the cessation or the prohibition of the infringement;	(k) the power to bring about the cessation or the prohibition of the infringement;	deleted (<u>Note</u> : see Council paragraph 2a (new), point d) Row 173	GREEN Note: linked to Row 173 Council, covered there
163	Article 8 - paragraph 2 - point l	(l) close down a website, domain or similar digital site, service or account or a part of it, including by requesting a third party or other public authority to implement such measures;	(l) the power, in the absence of an effective reaction within a reasonable time by the trader to a written request by the competent authority for the cessation or prohibition of an infringement, to order a hosting service provider to remove content or close down a website, domain or similar digital site , service or account or a part of it, or to order domain registries or registrars to delete a fully qualified domain name and allow the competent authority concerned to register it , including by requesting a third party or other public authority to implement such	deleted (<u>Note</u> : see Council paragraph 2a (new), point e)	GREEN Agreement on row 174

			measures, <i>in order to prevent the risk of serious and irreparable harm to the collective interests of consumers</i> ;		
164	Article 8 - paragraph 2 - point m	(m) impose penalties, including fines and penalty payments, for intra-Union infringements and widespread infringements and for the failure to comply with any decision, order, interim measure, commitment or other measure adopted pursuant to this Regulation;	(m) <i>the power to</i> impose <i>sanctions</i> , including fines and penalty payments, for intra-Union infringements, <i>widespread infringements</i> and widespread infringements <i>with a Union dimension</i> and for failure to comply with any decision, order, interim measure, commitment or other measure adopted pursuant to this Regulation;	deleted (<i>Note: see Council paragraph 2a (new), point f, and paragraph 3a (new)</i>) ROW 175- 176	GREEN <i>Note: linked to Row 175/176 Council, covered there</i>
165	Article 8 - paragraph 2 - point n	(n) order the trader responsible for the intra-Union infringement or widespread infringement to compensate consumers that have suffered harm as a consequence of the infringement including, among others, monetary compensation, offering consumers the option to terminate the contract or other measures ensuring redress to consumers who have been harmed as a result of the infringement;	(n) <i>the power to</i> order the trader responsible for the intra-Union infringement, <i>widespread infringement</i> or widespread infringement <i>with a Union dimension</i> to compensate consumers that have suffered harm as a consequence of the <i>that</i> infringement including, among others <i>inter alia</i> , monetary compensation, offering consumers the option to terminate the contract or other measures ensuring redress to consumers who have been harmed as a result of the infringement;	deleted	GREEN deleted <i>Note: replaced by text indicated in in row 171 (new points (ba) and (bb) and new recital)</i>

166	Article 8 - paragraph 2 - point o	(o) order the restitution of profits obtained as a result of infringements, including an order that those profits are paid to the public purse or to a beneficiary designated by the competent authority or under national legislation;	(o) <i>the power to</i> order the restitution of profits obtained as a result of infringements, including an order that those profits are paid to the public purse or to a beneficiary designated by the competent authority or under national legislation;	deleted	GREEN deleted
167	Article 8 - paragraph 2 - point p	(p) publish any final decisions, interim measures or orders, including the publication of the identity of the trader responsible for the intra-Union infringement or widespread infringement;	(p) <i>the power to</i> publish any final decisions, interim <i>final</i> measures, <i>trader's commitments</i> or orders <i>adopted pursuant to this Regulation</i> , including the publication of the identity of the trader responsible for the intra-Union infringement, <i>widespread infringement</i> or widespread infringement <i>with a Union dimension</i> ;	deleted (<i>Note: see Council paragraph 5 (new)</i>)	GREEN <i>Note: linked to Row 178 Council, covered there</i>
168	Article 8 - paragraph 2 - point q	(q) consult consumers, consumer organisations, designated bodies and other persons concerned about the effectiveness of the proposed commitments in ceasing the infringement and removing the harm caused by it.	(q) <i>the power to</i> consult consumers, consumer organisations, <i>trader organisations</i> , designated bodies, <i>where applicable</i> , and other persons concerned about the effectiveness of the proposed commitments in ceasing the infringement and removing the harm caused by it. [Am. 66]	deleted	GREEN <i>Note: Becomes a new paragraph 6 in Council's structure</i> <u><i>6. Competent authorities may consult, where applicable consumers, consumer organisations, trader organisations, designated bodies and other persons concerned about the effectiveness of the proposed commitments in ceasing</i></u>

					<i>the infringement</i> and removing the harm caused by it.
169	Article 8 - paragraph 2a (new)			<u>3. Competent authorities shall have at least the following enforcement powers:</u>	GREEN <i>3. Competent authorities shall have at least the following enforcement powers:</i>
170	Article 8 - paragraph 2a (new) - point a			<u>(a) adopt interim measures to prevent the risk of serious harm to the collective interest of consumers;</u>	GREEN <i>(a) adopt interim measures to prevent the risk of serious harm to the collective interest of consumers;</i>
171	Article 8 - paragraph 2a (new) - point b		<i>Note : See point (i) Row 160 EP</i>	<u>(b) seek to obtain or accept commitments from the trader responsible for the intra-Union infringement or widespread infringement to cease the infringement;</u>	GREEN <i>(b) seek to obtain or accept commitments from the trader responsible for the intra-Union infringement or widespread infringement to cease the infringement;</i> <i>(ba) to receive from the trader, on its own initiative, additional remedial commitments for consumers affected by the alleged infringement, or where appropriate to seek to obtain commitments from the trader to offer adequate remedies to the consumers concerned by the infringement;</i>

					<p><u>(bb) where applicable, competent authorities shall inform, by appropriate means, consumers that claim to have suffered harm as a consequence of an infringement about the means how to seek compensation provided for by national legislation;</u></p> <p><i>Note: see also text added in recital 14</i></p>
172	Article 8 - paragraph 2a (new) - point c			<p><u>(c) order in writing the cessation of the Intra-Union infringements and widespread infringements by the trader;</u></p>	<p>GREEN</p> <p><u>(c) order in writing the cessation of the Intra-Union infringements and widespread infringements by the trader;</u></p>
173	Article 8 - paragraph 2a (new) - point d			<p><u>(d) bring about the cessation or the prohibition of the Intra-Union infringements and widespread infringements;</u></p>	<p>GREEN</p> <p><u>(d) bring about the cessation or the prohibition of the Intra-Union infringements and widespread infringements;</u></p>
174	Article 8 - paragraph 2a (new) - point e			<p><u>(e) where no other effective means are available to bring about the cessation or prohibition of the infringement, restrict or block the access to an online interface or order the explicit display of a warning to consumers when accessing the online interface, including by</u></p>	<p>GREEN</p> <p><u>(e) where no other effective means are available to bring about the cessation or the prohibition of the infringement including by requesting a third party or other public authority to implement such measures, in order to prevent</u></p>

				<p><u>requesting a third party or other public authority to implement such measures, or order the removal or modification of digital content, to prevent the risk of serious harm to the collective interests of consumers;</u></p>	<p><i>the risk of serious harm to the collective interests of consumers:</i></p> <ul style="list-style-type: none"> - <u>to remove content or restrict access to an online interface or to order the explicit display of a warning to consumers when accessing the online interface;</u> - <u>to order a hosting service provider to remove, disable or restrict the access to an online interface; or</u> - <u>where appropriate, order domain registries or registrars to delete a fully qualified domain name and allow the competent authority concerned to register it;</u>
175	Article 8 - paragraph 2a (new) - point f			<p><u>(f) impose fines or periodic penalty payments, for intra-Union infringements and widespread infringements and for the failure to comply with any decision, order, interim measure, commitment or other measure adopted pursuant to this Regulation.</u></p>	<p>GREEN</p> <p><i>(f) impose penalties, for instance fines or periodic penalty payments, for intra-Union infringements and widespread infringements and for the failure to comply with any decision, order, interim measure, commitment or other measure adopted pursuant to this Regulation. Such penalties shall be effective, proportionate and dissuasive, in accordance with the requirements of Union law that protects consumers'</i></p>

interests. In particular, due regard shall be given, as appropriate, to the nature, gravity and duration of the infringement.

Note: see also amended recital 13

176 Article 8 - paragraph 2b (new)

3a. The power to impose fines for intra Union and widespread infringements applies to any infringement to Union laws that protect consumers' interests which provide for penalties. This is without prejudice to the power for national authorities to impose penalties, including fines, under the conditions set out by national law though Union laws that protect consumers' interests do not provide for penalties.

GREEN
3a. The power to impose penalties, for instance fines or periodic penalty payments, for intra Union and widespread infringements applies to any infringement to Union laws that protect consumers' interests where the relevant Union act listed in the Annex provides for penalties. This is without prejudice to the power for national authorities to impose penalties, for instance administrative or other fines or periodic penalty payments, under the conditions set out by national law, where Union acts listed in the Annex do not provide for penalties.

177 Article 8 - paragraph 2c (new)

4. Competent authorities shall have the power to start investigations or procedures to bring about the cessation or prohibition of intra-Union

GREEN
4. Competent authorities shall have the power to start investigations or procedures to bring about the cessation or

				<u>infringements or widespread infringements of their own initiative.</u>	<u>prohibition of intra-Union infringements or widespread infringements of their own initiative.</u>
178	Article 8 - paragraph 2d (new)		Note : See EP point (p) Row 167	<u>5. Competent authorities may publish any final decision, trader's commitments or orders adopted pursuant to this Regulation, including the publication of the identity of the trader responsible for the intra-Union infringement or widespread infringement.</u>	GREEN <u>5. Competent authorities may publish any final decision, trader's commitments or orders adopted pursuant to this Regulation, including the publication of the identity of the trader responsible for the intra-Union infringement or widespread infringement.</u>
179	Article 9	Article 9	Article 9	Article 9	GREEN
180	Article 9 - title	Exercise of minimum powers	Exercise of minimum powers by competent authorities	Exercise of minimum powers	GREEN Exercise of minimum powers
181	Article 9 - paragraph 1	1. The competent authorities shall exercise the powers set out in Article 8 in accordance with this Regulation and national law either:	1. The competent authorities shall exercise the powers set out in Article 8 in accordance with this Regulation and national law either:	1. The competent authorities shall exercise the powers set out in Article 8 shall be exercised in accordance with this Regulation and national law either:	GREEN 1. The competent authorities shall exercise the powers set out in Article 8 shall be exercised in accordance with this Regulation and national law either:
182	Article 9 - paragraph 1 - point a	(a) directly under their own authority; or	(a) directly under their own authority; or	(a) directly by competent authorities under their own authority; or	GREEN (a) directly by competent authorities under their own authority; or
183	Article 9 - paragraph 1 -		<i>(aa) with the assistance of other public authorities or under the</i>	<u>(aa) where appropriate, upon recourse to other competent</u>	GREEN

	point aa (new)		<i>supervision of the judicial authorities, where appropriate;</i>	<u>authorities or other public authorities for the application of the powers;</u>	<u>(aa) where appropriate, upon recourse to other competent authorities or other public authorities for the application of the powers;</u>
184	Article 9 - paragraph 1 - point ab (new)		<i>(ab) by instructing designated bodies, where relevant; or</i>	<u>(ab) by instructing designated bodies if applicable; or</u>	GREEN <u>(ab) by instructing designated bodies if applicable; or</u>
185	Article 9 - paragraph 1 - point b	(b) by application to courts competent to grant the necessary decision, including, where appropriate, by appeal, if the application to grant the necessary decision is not successful.	(b) by application to courts competent to grant the necessary decision, including, where appropriate, by appeal, if the application to grant the necessary decision is not successful.	(b) by application to courts competent to grant the necessary decision, including, where appropriate, by appeal, if the application to grant the necessary decision is not successful.	GREEN (b) by application to courts competent to grant the necessary decision, including, where appropriate, by appeal, if the application to grant the necessary decision is not successful.
186	Article 9 - paragraph 1a (new)		<i>1a. The competent authorities shall in any case exercise the powers set out in points (d), (g) and (l) of Article 8(2) in accordance with point (b) of paragraph 1 of this Article.</i>		GREEN <i>Note: agreement not to endorse</i>
187	Article 9 - paragraph 2	2. Insofar as competent authorities exercise their powers by application to courts, those courts shall have the power to grant the necessary decisions and shall act within the framework of this Regulation.	2. Insofar as competent authorities exercise their powers by application to courts, those courts shall have the power to grant the necessary decisions and shall act within the framework of this Regulation.	2. Insofar as competent authorities exercise their powers by application to courts, those courts shall have the power to grant the necessary decisions and shall act within the framework of this Regulation. <u>The implementation and the exercise of powers set out in Article 8 in application of</u>	GREEN 2. Insofar as competent authorities exercise their powers by application to courts, those courts shall have the power to grant the necessary decisions and shall act within the framework of this Regulation. <u>The implementation and the exercise of powers set out</u>

				<p><u>this Regulation shall be proportionate and in accordance with this Regulation, Union and national law, including applicable procedural safeguards and principles of the fundamental rights. Investigation and enforcement measure adopted in application of this Regulation shall be adequate to the nature and the overall actual or potential harm of the infringement.</u></p>	<p><i>in Article 8 in application of this Regulation shall be proportionate and in accordance with this Regulation, Union and national law, including applicable procedural safeguards and principles of the Charter of Fundamental Rights of the European Union. Investigation and enforcement measure adopted in application of this Regulation shall be adequate to the nature and the overall actual or potential harm of the infringement.</i></p>
188	Article 9 - paragraph 2a (new)		<p><i>2a. The competent authorities shall exercise powers set out in Article 8 proportionately, efficiently and effectively in accordance with Union law, including the principles of the Charter of Fundamental Rights of the European Union, applicable procedural safeguards and the Union rules on data protection, and national law.</i></p>		<p>GREEN</p> <p>Note: integrated in Row 187</p>
189	Article 9 - paragraph 2b (new)		<p><i>2b. Investigation and enforcement measures adopted in application of this Regulation shall adequately reflect the nature of the infringement and the overall actual or potential harm caused by it.</i></p>		<p>GREEN</p> <p>Note: covered in Row 187</p>

190	Article 9 - paragraph 2c (new) – introductory part		<i>2c. When a decision is being made whether to impose a sanction and on the amount of the fine to be imposed in each individual case, due regard shall be given to the following:</i>		GREEN <i>Note: agreement not to endorse</i>
191	Article 9 - paragraph 2c (new) - point a		<i>(a) the nature, gravity and duration of the infringement, taking into account the number of consumers affected and the level of damage suffered by them;</i>		GREEN <i>idem</i>
192	Article 9 - paragraph 2c (new) - point b		<i>(b) the intentional or negligent character of the infringement;</i>		GREEN <i>idem</i>
193	Article 9 - paragraph 2c (new) - point c		<i>(c) any action taken by the trader to mitigate the damage suffered by consumers;</i>		GREEN <i>idem</i>
194	Article 9 - paragraph 2c (new) - point d		<i>(d) any relevant previous infringements committed by the trader;</i>		GREEN <i>idem</i>
195	Article 9 - paragraph 2c (new) - point e		<i>(e) the degree to which the trader has cooperated with the competent authority in order to remedy the infringement and to</i>		GREEN <i>idem</i>

			<i>mitigate the possible adverse effects thereof. [Am. 67]</i>		
196	Article 9 - paragraph 3	3. The Member States shall ensure that the court fees and other costs linked to the adoption of the court decisions in the proceedings initiated in application of this Regulation are proportionate and do not hamper the application of this Regulation.	3. The Member States shall ensure that the court fees and other costs linked to the adoption of the court decisions in the proceedings initiated in application of this Regulation are proportionate and do not hamper the application of this Regulation.	deleted	GREEN deleted
197	Article 10	<i>Article 10</i>	<i>Article 10</i>	<i>Article 10</i>	
198	Article 10 - title	Implementing powers	Implementing powers	Implementing powers	
199	Article 10 - paragraph 1	The Commission may adopt implementing acts setting out the conditions for the implementation and exercise of the minimum powers of competent authorities referred to in Article 8. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 68]	deleted	GREEN deleted
200	CHAPTER III	CHAPTER III	CHAPTER III	CHAPTER III	CHAPTER III
201	CHAPTER III - title	MUTUAL ASSISTANCE MECHANISM	MUTUAL ASSISTANCE MECHANISM	MUTUAL ASSISTANCE MECHANISM	MUTUAL ASSISTANCE MECHANISM
202	Article 11	<i>Article 11</i>	<i>Article 11</i>	<i>Article 11</i>	<i>Article 11</i>

203	Article 11 - title	Requests for information	Requests for information	Requests for information	Requests for information
204	Article 11 - paragraph 1	1. A requested authority shall, on request from an applicant authority, supply any relevant information required to establish whether an intra-Union infringement has occurred and to bring about the cessation of that infringement. The requested authority shall notify the Commission without delay of the request for information and of its reply.	1. A requested authority shall, on request from an applicant authority, supply <i>to the applicant authority without delay, and in any event within 30 days</i> , any relevant information required to establish whether an intra-Union infringement has occurred and to bring about the cessation of that infringement. The requested authority shall notify the Commission without delay of the request for information and of its reply.	1. A requested authority shall, on request from an applicant authority, supply <u>to the applicant authority within 30 days, unless specific reasons for the delay are provided</u> , any relevant information required to establish whether an intra-Union infringement has occurred and to bring about the cessation of that infringement. The requested authority shall notify the Commission without delay of the request for information and of its reply.	GREEN 1. A requested authority shall, on request from an applicant authority, supply <i>to the applicant authority without delay, and in any event within 30 days, unless otherwise agreed</i> , any relevant information required to establish whether an intra-Union infringement has occurred and to bring about the cessation of that infringement. The requested authority shall notify the Commission without delay of the request for information and of its reply.
205	Article 11 - paragraph 2	2. The requested authority shall undertake the appropriate investigations or take any other necessary or appropriate measures in order to gather the required information. If necessary, those investigations shall be carried out with the assistance of other public authorities or designated bodies.	2. The requested authority shall undertake the appropriate investigations or take any other necessary or appropriate measures in order to gather the required information. If necessary, those investigations shall be carried out with the assistance of other public authorities or designated bodies.	2. The requested authority shall undertake the appropriate <u>and necessary</u> investigations or take any other necessary or appropriate measures in order to gather the required information. If necessary, those investigations shall be carried out with the assistance of other public authorities or designated bodies.	GREEN 2. The requested authority shall undertake the appropriate <u>and necessary</u> investigations or take any other necessary or appropriate measures in order to gather the required information. If necessary, those investigations shall be carried out with the assistance of other public authorities or designated bodies.
206	Article 11 - paragraph 3	3. On request from the applicant authority, the requested authority may allow competent officials of	3. On request from the applicant authority, the requested authority may allow competent officials of	3. On request from the applicant authority, the requested authority may allow competent officials of	GREEN 3. On request from the applicant authority, the requested authority

		the applicant authority to accompany the officials of the requested authority in the course of their investigations.	the applicant authority to accompany the officials of the requested authority in the course of their investigations.	the applicant authority to accompany the officials of the requested authority in the course of their investigations.	may allow competent officials of the applicant authority to accompany the officials of the requested authority in the course of their investigations.
207	Article 11 - paragraph 4	4. The requested authority shall reply to the request using the procedure for information requests and within the time limits set out by the Commission in the implementing act.	deleted	deleted	GREEN deleted
208	Article 11 - paragraph 5	5. The Commission shall adopt implementing acts setting out the time limits, standard forms and details of the procedures for requests for information. The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 69]	deleted	GREEN deleted
209	Article 12	<i>Article 12</i>	<i>Article 12</i>	<i>Article 12</i>	<i>Article 12</i>
210	Article 12 - title	Requests for enforcement measures	Requests for enforcement measures	Requests for enforcement measures	Requests for enforcement measures
211	Article 12 - paragraph 1	1. A requested authority shall, on request from an applicant authority, take all necessary enforcement measures to bring about the cessation or prohibition of the intra-Union infringement, including imposing penalties and	1. A requested authority shall, <i>without undue delay</i> , on request from an applicant authority, take all necessary enforcement measures to bring about the cessation or prohibition of the intra-Union infringement <i>by</i>	1. A requested authority shall on request from an applicant authority, take all necessary and proportionate enforcement measures to bring about the cessation or prohibition of the intra-Union infringement;	GREEN 1. A requested authority shall on request from an applicant authority, take all necessary and proportionate enforcement measures to bring about the cessation or prohibition of the

ordering or facilitating the compensation of consumers for harm caused by the infringement.

exercising the powers set out in Article 8 and any additional powers granted to it under national law, including imposing penalties *sanctions* and ordering or facilitating the compensation of consumers for harm caused by the *that* infringement.

~~including imposing penalties and ordering or facilitating the compensation of consumers for harm caused by the infringement~~ **by exercising powers set out under Article 8 and any additional powers granted to it under national law. The requested authority shall determine the appropriate enforcement measures needed to bring about the cessation or prohibition of the intra-Union infringement and shall take them without delay but not later than 6 months after receiving the request, unless specific reasons for the delay are provided. Where appropriate, the requested authority shall impose fines or periodic penalty payments on the trader responsible for the intra-Union infringement.**

intra-Union infringement; including imposing penalties and ordering or facilitating the compensation of consumers for harm caused by the infringement **by exercising powers set out under Article 8 and any additional powers granted to it under national law. The requested authority shall determine the appropriate enforcement measures needed to bring about the cessation or prohibition of the intra-Union infringement and shall take them without delay but not later than 6 months after receiving the request, unless specific reasons for the delay are provided. Where appropriate, the requested authority shall impose penalties, for instance fines or periodic penalty payments, on the trader responsible for the intra-Union infringement. The requested authority may receive from the trader, on its own initiative, additional remedial commitments for consumers affected by the alleged infringement, or where appropriate seek to obtain commitments from the trader to offer adequate remedies to**

					<u>consumers concerned by the infringement.</u>
212	Article 12 - paragraph 2	2. In order to fulfil its obligations laid down in paragraph 1, the requested authority shall exercise the powers set out under Article 8 and any additional powers granted to it under national law. The requested authority shall determine the enforcement measures appropriate to bring about the cessation or prohibition of the intra-Union infringement in a proportionate, efficient and effective way. If necessary, those measures shall be determined and implemented with the assistance of other public authorities.	deleted	deleted	deleted
213	Article 12 - paragraph 3 – introductory part	3. The requested authority shall regularly inform and consult the applicant authority about the steps and measures taken. The requested authority shall notify through the database set out in Article 43 the applicant authority, the competent authorities of other Member States and the Commission of the measures taken and their effect on the intra-Union infringement without delay, including the following:	3. The requested authority shall regularly inform and consult the applicant authority about the steps and measures taken and shall consult the applicant authority about the steps and measures that the requested authority intends to take. The requested authority shall notify through the database set out, provided for in Article 43, the applicant authority, the competent authorities of other Member States and the Commission of the measures taken and their the effect thereof on the intra-Union	3. The requested authority shall regularly inform and consult the applicant authority about the steps and measures taken and the steps and measures it intends to take. The requested authority shall notify through the database set out in Article 43 the applicant authority, the competent authorities of other Member States and the Commission of the measures taken and their effect on the intra-Union infringement without delay, including the following:	GREEN 3. The requested authority shall regularly inform and consult the applicant authority about the steps and measures taken and the steps and measures it intends to take. The requested authority shall notify through the database set out, provided for in Article 43, the applicant authority, the competent authorities of other Member States and the Commission of the measures taken and their the effect thereof on the intra-Union

			infringement without delay , including the following:		infringement without delay, including the following:
214	Article 12 - paragraph 3 - point a	(a) whether interim measures have been imposed;	(a) whether interim measures have been imposed;	(a) whether interim measures have been imposed;	GREEN (a) whether interim measures have been imposed;
215	Article 12 - paragraph 3 - point b	(b) whether the infringement has ceased;	(b) whether the infringement has ceased;	deleted	GREEN (b) whether the infringement has ceased;
216	Article 12 - paragraph 3 - point c	(c) which penalties have been imposed;	(c) which penalties <i>measures, including sanctions</i> , have been imposed <i>and whether those measures have been implemented</i> ;	(c) which penalties <i>measures</i> have been imposed adopted and ;	GREEN (c) which penalties <i>measures</i> , have been <i>adopted and whether those measures have been implemented</i> ;
217	Article 12 - paragraph 3 - point d	(d) to what extent consumers have been compensated	(d) to what extent consumers have been compensated	deleted	GREEN (d) to what extent consumers have been <i>offered remedial commitments</i> compensated
218	Article 12 - paragraph 3 - point e	(e) whether the measures taken have been implemented.	deleted	(e) whether the those measures taken have been implemented.	GREEN deleted
219	Article 12 - paragraph 4	4. The requested authority shall reply to the request using the procedures for requests for enforcement measures and within the time limits set out by the Commission in the implementing act.	deleted	deleted	GREEN deleted

220	Article 12 - paragraph 5	5. The Commission shall adopt implementing acts setting out the time limits, standard forms and details of the procedures for requests for enforcement measures. The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 70]	deleted	GREEN deleted
221	Article 13	<i>Article 13</i>	<i>Article 13</i>	<i>Article 13</i>	GREEN
222	Article 13 - title	Role of designated bodies	Role of designated bodies	Role of designated bodies	GREEN
223	Article 13 - paragraph 1	1. The requested authority may instruct a designated body to gather the necessary information or take the enforcement measures necessary to bring about the cessation or prohibition of the infringement. The requested authority may only do so where that body is likely to obtain the requested information or to bring about the cessation or prohibition of the infringement as efficiently and as effectively as the requested authority.	1. The requested authority may instruct a designated body to gather the necessary information or take the enforcement measures necessary to bring about the cessation or prohibition of the infringement. The requested authority may only do so where that body is likely to obtain the requested information or to bring about the cessation or prohibition of the infringement as efficiently and as effectively as the requested authority.	deleted <i>(Note: see Council's Article 6a)</i>	GREEN deleted
224	Article 13 - paragraph 2	2. The requested authority shall ensure that the instruction of the designated body does not lead to the disclosure of information	2. The requested authority shall ensure that the instruction of the designated body does not lead to the disclosure of information	deleted	GREEN deleted

		which is subject to the rules on confidentiality and professional and commercial secrecy set out in Article 41.	which is subject to the rules on confidentiality and professional and commercial secrecy set out in Article 41.		
225	Article 13 - paragraph 3	3. Where the designated body fails to bring about the cessation or prohibition of the intra- Union infringement within the time limit set out pursuant to Article 11(4) and Article 12(4), the requested authority itself shall act upon the request pursuant to Articles 11 and 12.	3. Where the designated body fails to bring about the cessation or prohibition of the intra- Union infringement within the time limit set out pursuant to Article 11(4) and Article 12(4), the requested authority itself shall act upon the request pursuant to Articles 11 and 12.	deleted	GREEN deleted
226	Article 13 - paragraph 4	4. Before instructing the designated body, the requested competent authority shall consult the applicant authority about its intention to instruct a designated body. Where the applicant authority does not agree with the instruction of a designated body, it shall inform the requested authority in writing without delay and give grounds for its objection. In that case, the requested authority shall not instruct the designated body and shall act itself on the request.	4. Before instructing the designated body, the requested competent authority shall consult the applicant authority about its intention to instruct a designated body. Where the applicant authority does not agree with the instruction of a designated body, it shall inform the requested authority in writing without delay and give grounds for its objection. In that case, the requested authority shall not instruct the designated body and shall act itself on the request.	deleted	GREEN deleted
227	Article 13 - paragraph 5	6. The Commission shall adopt implementing acts setting out the time limits, standard forms	deleted [Am. 71]	deleted	GREEN deleted

		and details of the procedures involving designated bodies. The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).			
228	Article 14	<i>Article 14</i>	<i>Article 14</i>	<i>Article 14</i>	<i>Article 14</i>
229	Article 14 - title	Procedure for mutual assistance requests	Procedure for mutual assistance requests	Procedure for mutual assistance requests	Procedure for mutual assistance requests
230	Article 14 - paragraph 1	1. In requests for mutual assistance, the applicant authority shall provide sufficient information to enable a requested authority to fulfil the request, including any necessary evidence obtainable only in the Member State of the applicant authority.	1. In requests for mutual assistance, the applicant authority shall provide sufficient necessary information to enable a requested authority to fulfil the request, including any necessary evidence obtainable only in the Member State of the applicant authority. [Am. 72]	1. In requests for mutual assistance, the applicant authority shall provide sufficient information to enable a requested authority to fulfil the request, including any necessary evidence obtainable only in the Member State of the applicant authority.	GREEN 1. In requests for mutual assistance, the applicant authority shall provide sufficient necessary information to enable a requested authority to fulfil the request, including any necessary evidence obtainable only in the Member State of the applicant authority.
231	Article 14 - paragraph 2	2. Requests shall be sent by the applicant authority to the single liaison office of the Member State of the requested authority and to the single liaison office of the Member State of the applicant authority for information. The single liaison office of the Member State of the requested authority shall pass the requests on to the appropriate competent authority without delay.	2. Requests shall be sent by the applicant authority to the single liaison office of the Member State of the requested authority and to the single liaison office of the Member State of the applicant authority for information. The single liaison office of the Member State of the requested authority shall pass the requests on to the appropriate competent authority without delay.	2. Requests shall be sent by the applicant authority to the single liaison office of the Member State of the requested authority and to the single liaison office of the Member State of the applicant authority for information. The single liaison office of the Member State of the requested authority shall pass the requests on to the appropriate competent authority without delay.	GREEN 2. Requests shall be sent by the applicant authority to the single liaison office of the Member State of the requested authority and to the single liaison office of the Member State of the applicant authority for information. The single liaison office of the Member State of the requested authority shall pass the requests on to the appropriate competent authority without delay.

232	Article 14 - paragraph 3	3. Requests for mutual assistance and all communication linked to them shall be made in writing using standard forms and communicated electronically via the database established pursuant to Article 43.	3. Requests for mutual assistance and all communication linked to them shall be made in writing using standard forms and communicated electronically via the database established pursuant to Article 43.	3. Requests for mutual assistance and all communication linked to them shall be made in writing using standard forms and communicated electronically via the database established pursuant to Article 43.	GREEN 3. Requests for mutual assistance and all communication linked to them shall be made in writing using standard forms and communicated electronically via the database established pursuant to Article 43.
233	Article 14 - paragraph 4	4. The languages used for requests for mutual assistance and for all communication linked to them shall be agreed upon by the competent authorities concerned.	4. The languages used for requests for mutual assistance and for all communication linked to them shall be agreed upon by the competent authorities concerned.	4. The languages used for requests for mutual assistance and for all communication linked to them shall be agreed upon by the competent authorities concerned.	GREEN 4. The languages used for requests for mutual assistance and for all communication linked to them shall be agreed upon by the competent authorities concerned.
234	Article 14 - paragraph 5	5. If no agreement about languages can be reached, requests shall be sent in the official language of the Member State of the applicant authority and replies in the official language of the Member State of the requested authority. In that case, each competent authority shall ensure the necessary translations of the requests, replies and other documents that it receives from another competent authority.	5. If no agreement about languages can be reached, requests shall be sent in the official language of the Member State of the applicant authority and replies in the official language of the Member State of the requested authority. In that case, each competent authority shall ensure the necessary translations of the requests, replies and other documents that it receives from another competent authority.	5. If no agreement about languages can be reached, requests shall be sent in the official language of the Member State of the applicant authority and replies in the official language of the Member State of the requested authority. In that case, each competent authority shall ensure the necessary translations of the requests, replies and other documents that it receives from another competent authority.	GREEN 5. If no agreement about languages can be reached, requests shall be sent in the official language of the Member State of the applicant authority and replies in the official language of the Member State of the requested authority. In that case, each competent authority shall ensure the necessary translations of the requests, replies and other documents that it receives from another competent authority.
235	Article 14 - paragraph 6	6. The requested authority shall reply directly to the applicant authority and to the single liaison	6. The requested authority shall reply directly to the applicant authority and to the single liaison	6. The requested authority shall reply directly to the applicant authority and to the single liaison	GREEN 6. The requested authority shall reply directly to the applicant

		offices of the Member States of the applicant and requested authorities.	offices of the Member States of the applicant and requested authorities.	offices of the Member States of the applicant and requested authorities.	authority and to the single liaison offices of the Member States of the applicant and requested authorities.
236	Article 15	<i>Article 15</i>	<i>Article 15</i>	<i>Article 15</i>	<i>Article 15</i>
237	Article 15 - title	Refusal to comply with a request for mutual assistance	Refusal to comply with a request for mutual assistance	Refusal to comply with a request for mutual assistance	GREEN Refusal to comply with a request for mutual assistance
238	Article 15 - paragraph 1 – introductory part	1. A requested authority may refuse to comply with a request for information under Article 11 if one or more of the following applies:	1. A requested authority may refuse to comply with a request for information under Article 11 if one or more of the following applies:	1. A requested authority may refuse to comply with a request for information under Article 11 if one or more of the following applies:	GREEN 1. A requested authority may refuse to comply with a request for information under Article 11 if one or more of the following applies:
239	Article 15 - paragraph 1 - point a	(a) in its opinion, following consultation with the applicant authority, the information requested is not needed by the applicant authority to establish whether an intra-Union infringement has occurred or to establish whether there is a reasonable suspicion that it may occur;	(a) in its opinion , following consultation with the applicant authority, <i>the requested authority provides justified reasons showing that</i> the information requested is not needed by the applicant authority <i>in order</i> to establish whether an intra-Union infringement has occurred or to establish whether there is a reasonable suspicion that it may occur;	(a) in its opinion, following consultation with the applicant authority, <i>it appears that</i> the information requested is not needed by the applicant authority to establish whether an intra-Union infringement has occurred or to establish whether there is a reasonable suspicion that it may occur;	GREEN (a) in its opinion , following consultation with the applicant authority, <i>it appears that</i> the information requested is not needed by the applicant authority to establish whether an intra-Union infringement has occurred or to establish whether there is a reasonable suspicion that it may occur;
240	Article 15 - paragraph 1 - point b	(b) the applicant authority does not agree that the information is subject to the provisions on confidentiality and professional	(b) the applicant authority does not agree that the information is subject to the provisions on confidentiality and professional	(b) the applicant authority does not agree that the information is subject to the provisions on confidentiality and professional	GREEN (b) the applicant authority does not agree that the information is subject to the provisions on

		and commercial secrecy set out in Article 41;	and commercial secrecy set out in Article 41;	and commercial secrecy set out in Article 41;	confidentiality and professional and commercial secrecy set out in Article 41;
241	Article 15 - paragraph 1 - point c	(c) criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority.	(c) criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority.	(c) criminal investigations or judicial proceedings have already been initiated, or there is a final judgment has already been given, <u>a court settlement or a judicial order</u> in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority;	GREEN (c) criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority.
242	Article 15 - paragraph 1 - point ca (new)			<u>(d) the exercise of the necessary investigation or enforcement powers have already been initiated, or an administrative decision has already been adopted in respect of the same intra-Union infringement and against the same trader in that Member State in order to bring about the cessation or prohibition of the intra-Union infringement.</u>	GREEN <i>Note: agreement not to endorse</i>
243	Article 15 - paragraph 2 – subparagraph 1 -	2. A requested authority may refuse to comply with a request for enforcement measures under Article 12 following a consultation	2. A requested authority may refuse to comply with a request for enforcement measures under Article 12 following a consultation	2. A requested authority may refuse to comply with a request for enforcement measures under Article 12 following a consultation	GREEN 2. A requested authority may refuse to comply with a request for enforcement measures under Article 12 following a consultation

	introductory part	with the applicant authority, if one or more of the following applies:	with the applicant authority, if one or more of the following applies:	with the applicant authority, if one or more of the following applies:	with the applicant authority, if one or more of the following applies:
244	Article 15 - paragraph 2 - subparagraph 1 - point a	(a) criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority;	(a) criminal investigations or judicial proceedings have already been initiated or <i>there is a final administrative decision, a final judgment or a court settlement</i> has already been given in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority;	(a) criminal investigations or judicial proceedings have already been initiated or final , <u>or there is a judgment has already been given, a court settlement or a judicial order</u> in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority;	GREEN (a) criminal investigations or judicial proceedings have already been initiated or final , <u>or there is a judgment has already been given, a court settlement or a judicial order</u> in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the Member State of the requested or applicant authority;
245	Article 15 - paragraph 2 - subparagraph 1 - point aa (new)			<u>(aa) the exercise of the necessary investigation or enforcement powers have already been initiated, or an administrative decision has already been adopted in respect of the same intra-Union infringement and against the same trader in that Member State in order to bring about the cessation or prohibition of the intra-Union infringement;</u>	GREEN <u><i>(aa) the exercise of the necessary enforcement powers have already been initiated, or an administrative decision has already been adopted in respect of the same intra-Union infringement and against the same trader in that Member State in order to bring about the swift and effective cessation or prohibition of the intra-Union infringement;</i></u> <i>Note: see as well amended recital 15</i>

246	Article 15 - paragraph 2 - subparagraph 1 - point b	(b) in its opinion, following appropriate investigation by the requested authority, no intra-Union infringement has occurred;	(b) in its opinion, following appropriate investigation by the requested authority , no intra-Union infringement has occurred;	(b) in its opinion, following appropriate investigation by the requested authority , no intra-Union infringement has occurred;	GREEN (b) in its opinion, following appropriate investigation by the requested authority , no intra-Union infringement has occurred;
247	Article 15 - paragraph 2 - subparagraph 1 - point c	(c) in its opinion, the applicant authority has not provided sufficient information in accordance with Article 12(1),	(c) in its opinion, the applicant authority has not provided sufficient necessary information in accordance with Article 12(1) 14(1) .	(c) in its opinion, the applicant authority has not provided sufficient information in accordance with Article 12 14 (1),	GREEN (c) in its opinion, the applicant authority has not provided sufficient information in accordance with Article 12 14 (1),
248	Article 15 - paragraph 2 - subparagraph 1 - point ca (new)			<u>(d) the requested authority has accepted commitments by the trader to cease the intra-Union infringement in a set time limit and that time limit has not yet passed.</u>	GREEN <i>(d) the requested authority has accepted commitments by the trader to cease the intra-Union infringement in a set time limit and that time limit has not yet passed.</i>
249	Article 15 - paragraph 2 - subparagraph 2			<u>However, the requested authority shall comply with the request for enforcement measures under Article 12 if the trader fails to implement commitments pursuant to point (d).</u>	GREEN <i>However, the requested authority shall comply with the request for enforcement measures under Article 12 if the trader fails to implement commitments pursuant to point (d).</i>
250		A request for enforcement measures cannot be refused on the ground that insufficient information has been provided if a request for information on the same intra-Union infringement was refused on the grounds that	A request for enforcement measures cannot be refused on the ground that insufficient information has been provided if a request for information on the same intra-Union infringement was previously refused on the	A request for enforcement measures cannot be refused on the ground that insufficient information has been provided if a request for information on the same intra-Union infringement was refused on the grounds that	GREEN A request for enforcement measures cannot be refused on the ground that insufficient information has been provided if a request for information on the same intra-Union infringement

		criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader, as referred to in paragraph (1)(c).	grounds that criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader, as referred to in <i>point (c) of</i> paragraph (1)(e).	criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader, as referred to in paragraph (1)(e).	was refused on the grounds that criminal investigations or judicial proceedings have already been initiated or final judgment has already been given in respect of the same intra-Union infringement and against the same trader, as referred to in paragraph (1)(e).
251	Article 15 - paragraph 3	3. The requested authority shall inform the applicant authority and the Commission of the refusal to comply with a request for mutual assistance and provide grounds for the refusal.	3. The requested authority shall inform the applicant authority and the Commission of the refusal to comply with a request for mutual assistance and provide grounds for the refusal.	3. The requested authority shall inform the applicant authority and the Commission of the refusal to comply with a request for mutual assistance and provide grounds for the refusal.	GREEN 3. The requested authority shall inform the applicant authority and the Commission of the refusal to comply with a request for mutual assistance and provide grounds for the refusal.
252	Article 15 - paragraph 4	4. In the event of a disagreement between the applicant and the requested authority, the applicant authority or the requested authority shall without delay refer the matter to the Commission which shall issue an opinion. Where the matter is not referred to it, the Commission may of its own motion issue an opinion.	4. In the event of a disagreement between the applicant authority and the requested authority, the applicant authority or the requested authority shall without delay may refer the matter to the Commission which shall without delay issue an opinion. Where the matter is not referred to it, the Commission may of its own motion issue an opinion. <i>For the purpose of issuing an opinion, the Commission may ask for relevant information and documents exchanged between</i>	4. In the event of a disagreement between the applicant and the requested authority, the applicant authority or the requested authority shall may without delay refer the matter to the Commission which shall issue an opinion without delay . Where the matter is not referred to it, the Commission may of its own motion issue an opinion.	GREEN 4. In the event of a disagreement between the applicant authority and the requested authority, the applicant authority or the requested authority shall without delay may refer the matter to the Commission which shall without delay issue an opinion. Where the matter is not referred to it, the Commission may of its own motion issue an opinion. <i>For the purpose of issuing an opinion, the Commission may ask for relevant information and</i>

			<i>the applicant authority and the requested authority.</i>		<u><i>documents exchanged between the applicant authority and the requested authority.</i></u>
253	Article 15 - paragraph 5	5. The Commission shall monitor the functioning of the mutual assistance mechanism, the compliance of competent authorities with the procedures and the time limits for handling mutual assistance requests. The Commission shall have access to the mutual assistance requests and to the information and documents exchanged between the applicant and requested authority.	5. The Commission shall monitor the functioning of the mutual assistance mechanism, and the compliance of competent authorities with the procedures and the time limits for handling mutual assistance requests. The Commission shall have access to the mutual assistance requests and to the information and documents exchanged between the applicant and requested authority.	5. The Commission shall monitor the functioning of the mutual assistance mechanism, the compliance of competent authorities with the procedures and the time limits for handling mutual assistance requests. The Commission shall have access to the mutual assistance requests and to the information and documents exchanged between the applicant and requested authority.	GREEN 5. The Commission shall monitor the functioning of the mutual assistance mechanism, the compliance of competent authorities with the procedures and the time limits for handling mutual assistance requests. The Commission shall have access to the mutual assistance requests and to the information and documents exchanged between the applicant and requested authority.
254	Article 15 - paragraph 6	6. Where appropriate, the Commission may issue guidance and provide advice to the Member States to ensure the effective and efficient functioning of the mutual assistance mechanism.	6. Where appropriate, the Commission may issue guidance and provide advice to the Member States to ensure the effective and efficient functioning of the mutual assistance mechanism.	deleted	GREEN 6. Where appropriate, the Commission may issue guidance and provide advice to the Member States to ensure the effective and efficient functioning of the mutual assistance mechanism.
255	Article 15 - paragraph 7	7. The Commission may adopt implementing acts setting out the details of the procedures to address cases of disagreement between competent authorities under paragraphs 3 and 4. Those implementing acts shall be adopted in accordance with the	deleted [Am. 73]	deleted	GREEN deleted

		examination procedure referred to in Article 48(2).			
256	Article 15a [EP]		<i>Article 15a</i>		
257	Article 15a - title		<i>Implementing acts</i>		
258	Article 15a - paragraph 1		<i>The Commission shall adopt implementing acts laying down the standard forms and steps of the procedure referred to in Articles 11, 12 and 15. Those implementing act shall be adopted in accordance with the examination procedure referred to in Article 48(2). [Am. 74]</i>		GREEN <i>Note: not endorsed; covered by horizontal empowerment in database article</i>
259	CHAPTER IV	CHAPTER IV	CHAPTER IV	CHAPTER IV	CHAPTER IV
260	CHAPTER IV - title	COORDINATED SURVEILLANCE, INVESTIGATION AND ENFORCEMENT MECHANISM FOR WIDESPREAD INFRINGEMENTS	COORDINATED SURVEILLANCE, INVESTIGATION AND ENFORCEMENT MECHANISM FOR WIDESPREAD INFRINGEMENTS AND WIDESPREAD INFRINGEMENTS WITH A UNION DIMENSION [Am. 75]	COORDINATED SURVEILLANCE, INVESTIGATION AND ENFORCEMENT MECHANISM FOR WIDESPREAD INFRINGEMENTS	COORDINATED SURVEILLANCE, INVESTIGATION AND ENFORCEMENT MECHANISM FOR WIDESPREAD INFRINGEMENTS <u>AND WIDESPREAD INFRINGEMENTS WITH A UNION DIMENSION</u>
261	Section I	Section I	Section I	deleted	deleted
262	Section I - title	WIDESPREAD INFRINGEMENTS	WIDESPREAD INFRINGEMENTS AND WIDESPREAD	deleted	deleted

***INFRINGEMENTS WITH A
UNION DIMENSION [Am. 76]***

263	Article 15a [Council]			<u>Article 15a</u>	GREEN <u>Article 15a</u>
264	Article 15a - title			<u>Procedure for decisions amongst Member States</u>	GREEN <u>Procedure for decisions amongst Member States</u>
265	Article 15a - paragraph 1			<u>For matters pursuant to this Chapter, the competent authorities concerned shall act by consensus.</u>	GREEN <u>For matters pursuant to this Chapter, the competent authorities concerned shall act by consensus.</u> <i>Note : Reflects Article 28 EP (Rows 389, 390)</i>
266	Article 15aa [Council]			<u>Article 15aa</u>	GREEN <u>Article 15aa</u>
267	Article 15aa - title			<u>General principles of cooperation</u>	GREEN <u>General principles of cooperation</u>
268	Article 15aa - paragraph 1			<u>1. Where there is a reasonable suspicion that a widespread infringement is taking place, competent authorities concerned and the Commission shall without delay, by sending alerts pursuant to Article 34, inform each other and the single liaison offices concerned.</u>	GREEN <u>1. Where there is a reasonable suspicion that a widespread infringement is taking place, competent authorities concerned and the Commission shall without delay, by sending alerts pursuant to Article 34, inform</u>

					<p><u>each other and the single liaison offices concerned.</u></p> <p><i>Note : Reflects Article 16(1) EP</i></p>
269	Article 15aa - paragraph 2			<p><u>2. The competent authorities concerned by the widespread infringement shall coordinate their investigation and enforcement measures to address infringements. They shall exchange all necessary information and provide each other and the Commission with any assistance needed without delay.</u></p>	<p>GREEN</p> <p><u>2. The competent authorities concerned by the widespread infringement shall coordinate their investigation and enforcement measures to address infringements. They shall exchange all necessary information and provide each other and the Commission with any assistance needed without delay.</u></p> <p><i>Note : Reflects Article 30(1) EP</i></p>
270	Article 15aa - paragraph 3			<p><u>3. The competent authorities concerned shall ensure that necessary evidence and information are gathered and all necessary enforcement measures are taken to bring about the cessation or prohibition of the widespread infringement.</u></p>	<p>GREEN</p> <p><u>3. The competent authorities concerned shall ensure that necessary evidence and information are gathered and all necessary enforcement measures are taken to bring about the cessation or prohibition of the widespread infringement.</u></p> <p><i>Note: Reflects Article 17(1) EP</i></p>
271	Article 15aa - paragraph 4			<p><u>4. Without prejudice to paragraph 2, conducting of national investigation and</u></p>	<p>GREEN</p> <p><u>4. Without prejudice to paragraph 2, conducting of</u></p>

				<u>enforcement activities in respect of the same infringement and the same trader by competent authorities concerned shall not be affected by the application of this Regulation.</u>	<u>national investigation and enforcement activities in respect of the same infringement and the same trader by competent authorities concerned shall not be affected by the application of this Regulation.</u> <i>Note: EP does not have a similar provision</i>
272	Article 15aa - paragraph 5			<u>5. Where appropriate, the competent authorities may invite Commission officials and other accompanying persons authorised by the Commission to participate in the coordinated investigations, enforcement actions and other measures pursuant to this Chapter.</u>	GREEN <u>5. Where appropriate, the competent authorities may invite Commission officials and other accompanying persons authorised by the Commission to participate in the coordinated investigations, enforcement actions and other measures pursuant to this Chapter.</u> <i>Note : Reflects Article 32(3) EP</i>
273	Article 16	<i>Article 16</i>	<i>Article 16</i>	<i>Article 16</i>	<i>Article 16</i>
274	Article 16 - title	Opening of coordinated action and designation of the coordinator	Opening of Launching of coordinated action and designation of the coordinator	Opening Launch of coordinated action and designation of the coordinator	GREEN <u>Launch</u> of coordinated action and designation of the coordinator
275	Article 16 - paragraph 1	1. Where a competent authority has a reasonable suspicion that a widespread infringement is taking place, it shall notify the competent	1. Where a competent authority <i>or the Commission</i> has a reasonable suspicion that a widespread infringement is taking place, it	deleted	GREEN deleted <i>Note: see row 282 / Article 16(1) below</i>

		authorities of the other Member States concerned by the widespread infringement and the Commission without delay.	shall notify the competent authorities of the other Member States concerned by the widespread <i>that</i> infringement and the Commission, <i>as applicable</i> , without delay.		
276	Article 16 - paragraph 2	2. Where the Commission has a reasonable suspicion that a widespread infringement is taking place, it shall notify the competent authorities concerned by the widespread infringement.	deleted	deleted	GREEN deleted
277	Article 16 - paragraph 3	3. After receiving the notifications referred to in paragraphs 1 and 2, the competent authorities concerned by the widespread infringement shall, acting by consensus, designate the competent authority that shall coordinate the action.	3. After receiving the notifications <i>the notification as</i> referred to in paragraphs 1 and 2 <i>paragraph 1, in the case of a widespread infringement</i> , the competent authorities concerned by the widespread infringement <i>it</i> shall, acting by consensus, designate <i>decide whether to launch a coordinated action. The notifying</i> the competent authority that shall <i>coordinate the action shall</i> coordinate the action <i>coordinate the action unless the competent authorities concerned by the widespread infringement agree that another competent authority or the Commission is to do so.</i>	deleted (<i>Note: see Council's Article 16, paragraph 2, below</i>)	GREEN deleted <i>Note: see row 283 / Article 16(2) below</i>
278	Article 16 - paragraph 4	4. The competent authorities concerned may invite the	deleted	deleted	GREEN deleted

		Commission to take up the coordination role. The Commission shall inform the competent authorities concerned without delay whether it accepts the coordination role.			
279	Article 16 - paragraph 5	5. When notifying the competent authority pursuant to paragraph 2, the Commission may propose to take up the coordination role. The competent authorities concerned shall inform the Commission without delay whether they accept that the Commission coordinates the action.	5. When notifying the competent authority <i>it is the Commission that notifies the competent authorities</i> pursuant to paragraph 2 1, the Commission <i>it</i> may propose to take up the coordination role. The competent authorities concerned shall inform the Commission without delay whether they accept that <i>agree to</i> the Commission coordinates <i>coordinating the action, or whether they agree on a competent authority that is to coordinate</i> the action.	deleted	GREEN deleted <i>Note: see row 283 / Article 16(2) below</i>
280	Article 16 - paragraph 6	6. Where the Commission declines to take up the coordination role or where the competent authorities concerned do not accept that the Commission coordinates the action, the competent authorities concerned shall designate a competent authority that shall coordinate the action. Where no agreement among competent authorities is reached, the competent authority that first	6. Where the Commission declines to take up the coordination role or where the competent authorities concerned do not accept that the Commission coordinates the action, the competent authorities concerned shall designate a competent authority that shall coordinate the action. Where no agreement among competent authorities is reached, the competent authority that first	deleted	GREEN deleted <i>Note: see row 283 / Article 16(2) below</i>

		notified the suspected infringement to the other competent authorities shall coordinate the action.	notified the suspected infringement to the other competent authorities shall coordinate the action.		
281	Article 16 - paragraph 6a (new) [EP]		<i>6a. After giving or receiving the notification referred to in paragraph 1, the Commission together with the single liaison offices of the Member States concerned shall verify the preliminary evidence regarding the existence of the widespread infringement. When the threshold for a widespread infringement with a Union dimension is met, the Commission shall launch a coordinated action. The Commission shall notify its decision to launch the coordinated action to the single liaison offices of the Member States concerned by that action. The Commission shall coordinate the action. [Am. 77]</i>	<i>(Note: see Council's Article 16, paragraphs 3 and 4, below)</i>	GREEN <i>Note: Agreement reached on rows 284-285</i>
282	Article 16 - paragraph 1 [Council]			<u>1. In case of a reasonable suspicion of a widespread infringement the competent authorities concerned shall launch a coordinated action by an agreement between them. The launch of the coordinated action shall be notified to the single liaison offices concerned</u>	GREEN <i>Note: EP has similar text in 16(1), row 275 above</i> <u>1. In case of a reasonable suspicion of a widespread infringement the competent authorities concerned shall</u>

				<u>by the coordinated action and to the Commission.</u>	<i><u>launch a coordinated action by an agreement between them. The launch of the coordinated action shall be notified to the single liaison offices concerned by the coordinated action and to the Commission, without delay.</u></i>
283	Article 16 - paragraph 2 [Council]			<u>2. The competent authorities concerned by the suspected widespread infringement shall designate one competent authority among themselves to take the role of the coordinator. If no agreement can be reached on the coordinator, the competent authorities shall invite the Commission to take the role of coordinator. If the Commission declines to take the role of the coordinator, the competent authorities concerned may decide to close the coordinated action and shall pursue their national enforcement actions to address the widespread infringement using, where appropriate, the mutual assistance mechanism pursuant to Chapter III.</u>	GREEN <i>Note: EP has corresponding provisions in 16(3), (5) and (6)), row 277, 279 and 280 above</i> <u>2. The competent authorities concerned by the suspected widespread infringement shall designate one competent authority among themselves to take the role of the coordinator. If no agreement can be reached on the coordinator, the Commission shall take the role of coordinator.</u>
284	Article 16 - paragraph 3 [Council]			<u>3. If the Commission has the reasonable suspicion that a widespread infringement harmed, harms or is likely to</u>	GREEN <u>3. If the Commission has the reasonable suspicion of a widespread infringement with a</u>

harm consumers in at least three quarters of the Member States accounting together for at least three quarters of the population of the Union, it shall notify without delay pursuant to Article 34 the competent authorities and the single liaison offices concerned by the alleged infringement. The Commission shall state in the notification the grounds justifying a possible coordinated action. Competent authorities concerned shall conduct appropriate investigations based on information available or easily accessible to them. Where such investigations reveal that an infringement may be taking place, competent authorities concerned by the infringement shall launch a coordinated action pursuant to paragraph 1.

Union dimension, it shall notify without delay pursuant to Article 34 the competent authorities and the single liaison offices concerned by the alleged infringement. The Commission shall state in the notification the grounds justifying a possible coordinated action. Competent authorities concerned shall conduct appropriate investigations based on information available or easily accessible to them. Competent authorities concerned shall notify the results of such investigations to the other competent authorities, the single liaison offices concerned and the Commission pursuant to Article 34, within one month from the Commission's notification. Where such investigations reveal that an infringement may be taking place, competent authorities concerned by the infringement shall start with the coordinated action and take the measures set out in Article 17 and, where appropriate, Article 18 and Article 18a.

285	Article 16 - paragraph 4 [Council]			<u>4. The coordinated action launched following the Commission's notification pursuant to paragraph 3 shall be coordinated by the Commission.</u>	GREEN <u>4. The coordinated action started following the Commission's notification pursuant to paragraph 3 shall be coordinated by the Commission.</u>
286	Article 16 - paragraph 5 [Council]		<i>(Note: see Parliament's Article 16a (new), paragraph 3, below)</i>	<u>5. A competent authority shall join the coordinated action, if during the coordinated action it becomes apparent that it is concerned by the widespread infringement.</u>	GREEN <u>5. A competent authority shall join the coordinated action, if during the coordinated action it becomes apparent that it is concerned by the widespread infringement.</u> <i>(Note: EP has corresponding provision in Article 16a (new), paragraph 3, below)</i>
287	Article 16a (new)		Article 16a	Article 16a	Article 16a
288	Article 16a (new) - title		<i>Participation in coordinated actions</i>	<u>Decline to take part in the coordinated action</u>	GREEN <u>Reasons for declining to take part in the coordinated action</u>
289	Article 16a (new) - paragraph 1 - introductory part		<i>1. A competent authority may decline to take part in a coordinated action for any of the following reasons:</i>	<u>1. A competent authority may decline to take part in the coordinated action for one of the following reasons:</u>	GREEN <u>1. A competent authority may decline to take part in a coordinated action for any of the following reasons:</u>
290	Article 16a (new) -		<i>(a) a criminal investigation or judicial proceedings have already been initiated in respect of the</i>	<u>(a) criminal investigation or judicial proceedings have already been initiated, a</u>	GREEN <u>(a) criminal investigation or judicial proceedings have already</u>

	paragraph 1 - point a		<i>same widespread infringement or the widespread infringement with a Union dimension and against the same trader in the Member State concerned;</i>	<u>judgement has been given, or a court settlement was reached concerning the same infringement against the same trader in that Member State;</u>	<i><u>been initiated, a judgement has been given, or a court settlement was reached concerning the same infringement against the same trader in that Member State;</u></i>
291	Article 16a (new) - paragraph 1 - point b		<i>(b) a final administrative decision, a final judgment or a court settlement has already been arrived at in respect of the same widespread infringement or the widespread infringement with a Union dimension and against the same trader in the Member State concerned;</i>	<u>(b) the exercise of the necessary investigation or enforcement powers has already been initiated, or an administrative decision has been adopted in respect of the same infringement against the same trader in that Member State in order to bring about the cessation or prohibition of the widespread infringement;</u>	GREEN <i><u>(b) the exercise of the necessary enforcement powers has already been initiated before the issuance of an alert pursuant to Article 16(3), or an administrative decision has been adopted in respect of the same infringement against the same trader in that Member State in order to bring about the swift and effective cessation or prohibition of the widespread infringement;</u></i> <i>Note: see as well modified recital (17d)</i>
292	Article 16a (new) - paragraph 1 - point c		<i>(c) the relevant widespread infringement or the widespread infringement with a Union dimension has not occurred in the Member State concerned.</i>	<u>(c) following appropriate investigation it is apparent that the actual or potential impact of the alleged infringement on consumers in its Member State is insignificant and no enforcement measures need to be adopted by the competent authority;</u>	GREEN <i><u>(c) following appropriate investigation it is apparent that the actual or potential impact of the alleged infringement in its Member State is negligible and no enforcement measures need to be adopted by the competent authority;</u></i>

					<u><i>(ca) the relevant widespread infringement or the widespread infringement with a Union dimension has not occurred in the Member State concerned and no enforcement measures need to be adopted by the competent authority;</i></u>
293	Article 16a (new) - paragraph 1 - point d			<u><i>(d) the competent authority has accepted commitments by the trader to cease the widespread infringement in its Member State and those commitments have been implemented and no enforcement measures need to be adopted by the competent authority.</i></u>	GREEN <u><i>(d) the competent authority has accepted commitments by the trader to cease the widespread infringement in its Member State and those commitments have been implemented and no enforcement measures need to be adopted by the competent authority.</i></u>
294	Article 16a (new) - paragraph 2		<u><i>2. Following the decision to launch a coordinated action pursuant to Article 16, where a competent authority decides not to take part in the coordinated action, it shall without delay inform the Commission and the other competent authorities and single liaison offices concerned about its decision, state the reasons for it and provide the necessary supporting documents.</i></u>	<u><i>2. Where a competent authority declines to take part in the coordinated action pursuant to paragraph 1, it shall without delay inform the Commission, single liaison offices concerned and the other competent authorities concerned about its decision, state the reasons for it and provide the necessary supporting documents.</i></u>	GREEN <u><i>2. Where a competent authority declines to take part in the coordinated action, it shall without delay inform the Commission and the other competent authorities and single liaison offices concerned about its decision, state the reasons for it and provide the necessary supporting documents.</i></u>

295	Article 16a (new) - paragraph 3		3. A competent authority may join a coordinated action if it becomes apparent during the coordinated action that it is concerned by the widespread infringement or the widespread infringement with a Union dimension that is the subject of the coordinated action. [Am. 78]	(Note: see Council's Article 16, paragraph 5, above)	GREEN Note: see Article 16(5), row 286, above
296	Article 17	Article 17	Article 17	Article 17	Article 17
297	Article 17 - title	Investigation measures in coordinated actions	Investigation measures in coordinated actions	Investigation measures in coordinated actions	Investigation measures in coordinated actions
298	Article 17 - paragraph 1	1. The competent authorities concerned shall ensure that the necessary evidence, data and information are gathered effectively and efficiently. The competent authorities concerned shall ensure that investigations and inspections are conducted simultaneously and that interim measures are applied simultaneously.	1. The competent authorities concerned shall ensure that the necessary evidence, data and information are gathered effectively and efficiently. The competent authorities concerned shall ensure that investigations and inspections are conducted simultaneously and that interim measures are applied simultaneously <i>to the extent that national procedural law so allows.</i>	1. The competent authorities concerned shall ensure that the necessary evidence, data and information are gathered effectively and efficiently. The competent authorities concerned shall ensure that investigations and inspections are conducted <u>effectively, efficiently and in a coordinated manner, in particular they shall seek to conduct investigations and inspections</u> simultaneously and that interim measures are applied simultaneously.	GREEN 1. The competent authorities concerned shall ensure that the necessary evidence, data and information are gathered effectively and efficiently. The competent authorities concerned shall ensure that investigations and inspections are conducted <u>effectively, efficiently and in a coordinated manner. They shall seek,</u> simultaneously and that <u>with one another, to conduct investigations and inspections and, to the extent that national procedural law so allows, to apply</u> interim measures are applied simultaneously.

299	Article 17 - paragraph 2	2. The competent authorities concerned may use the mutual assistance mechanism pursuant to Chapter III, in particular to gather evidence and information from Member States other than the Member States concerned by the coordinated action or to ensure that the trader concerned does not circumvent enforcement measures.	2. The competent authorities concerned may use the mutual assistance mechanism pursuant to Chapter III, in particular to gather evidence and information from Member States other than the Member States concerned by the coordinated action or to ensure that the trader concerned does not circumvent enforcement measures.	deleted	GREEN deleted <i>Note: see row 300</i>
300	Article 17 - paragraph 2a (new)			<u>2a. The mutual assistance mechanism pursuant to Chapter III may be used, if it is needed, in particular to gather evidence and information from Member States other than the Member States concerned by the coordinated action or to ensure that the trader concerned does not circumvent enforcement measures.</u>	GREEN <i><u>2a. The mutual assistance mechanism pursuant to Chapter III may be used, if it is needed, in particular to gather evidence and information from Member States other than the Member States concerned by the coordinated action or to ensure that the trader concerned does not circumvent enforcement measures.</u></i>
301	Article 17 - paragraph 3	3. Where appropriate, the competent authorities concerned may set out the outcome of the investigation and the assessment of the widespread infringement in a common position agreed upon among themselves.	3. Where appropriate, The competent authorities concerned may shall set out the outcome of the investigation and the assessment of the widespread infringement <i>or, where applicable, the widespread infringement with a Union dimension,</i> in a common position agreed upon among themselves.	3. <u>Where appropriate,</u> the competent authorities concerned may shall set out the outcome of the investigation and the assessment of the widespread infringement in a common position agreed upon among themselves.	GREEN 3. Where appropriate, the competent authorities concerned may shall set out the outcome of the investigation and the assessment of the widespread infringement <i>or, where applicable, the widespread infringement with a Union dimension,</i> in a common position agreed upon among themselves.

302	Article 17 - paragraph 3a (new)		<i>3a. Unless otherwise agreed between the competent authorities concerned, the coordinator shall communicate the common position to the trader responsible for the infringement, who shall be given the opportunity to be heard on the matters forming part of the common position.</i>	3a. The coordinator, if not agreed otherwise between the competent authorities concerned, shall communicate the common position to the trader responsible for the infringement who shall be given the opportunity to be heard on the matters which are part of the common position.	GREEN <i>3a. Unless otherwise agreed between the competent authorities concerned, the coordinator shall communicate the common position to the trader responsible for the infringement, who shall be given the opportunity to be heard on the matters forming part of the common position.</i>
303	Article 17 - paragraph 4	4. Where appropriate and without prejudice to the rules on professional and commercial secrecy set out in Article 41, the competent authorities concerned may decide to publish the common position or parts of it on their websites and on the Commission website and seek the views of other parties concerned.	4. Where appropriate and Without prejudice to the rules on professional and commercial secrecy set out in Article 41, the competent authorities concerned may shall decide to publish the common position or parts of it on their websites and on the Commission website and may seek the views of <i>consumer organisations, trader organisations and</i> other parties concerned. [Am. 79]	4. Where appropriate and without prejudice to the rules on professional and commercial secrecy set out in Article 41, the competent authorities concerned may decide to publish the common position or parts of it on their websites and on the Commission may publish the common position on its website if requested by the competent authorities concerned and seek the view of other parties concerned.	GREEN 4. Where appropriate and without prejudice to Article 15a and to the rules on professional and commercial secrecy set out in Article 41, the competent authorities concerned may shall decide to publish the common position or parts of it on their websites and on the Commission website may seek the views of <i>consumer organisations, trader organisations and</i> other parties concerned. The Commission shall publish the common position on its website in agreement with competent authorities concerned.
304	Article 18	<i>Article 18</i>	<i>Article 18</i>	<i>Article 18</i>	<i>Article 18</i>

305	Article 18 - title	Enforcement measures in coordinated actions	Enforcement measures Commitments in coordinated actions	Enforcement measures in coordinated actions <u>Commitments</u>	GREEN Commitments in coordinated actions
306	Article 18 - paragraph 1	1. The competent authorities concerned may invite the trader responsible for the infringement to propose commitments to cease the infringement and where appropriate to compensate or take other measures facilitating compensation of consumers that have suffered harm. The trader may also, on its own initiative, propose commitments to cease the infringement and to compensate consumers.	<i>1. On the basis of a common position adopted pursuant to Article 17, the competent authorities concerned may invite the trader responsible for the <u>widespread</u> infringement or the <u>widespread infringement with a Union dimension</u> to propose commitments to cease the infringement and where appropriate to compensate or take other measures facilitating compensation of consumers that have suffered harm. The trader may also, on its <i>his</i> own initiative, propose commitments to cease the infringement and to compensate <i>such</i> consumers.</i>	1. The competent authorities concerned may invite the trader responsible for the widespread infringement to propose in a set time limit commitments to cease the infringement and where appropriate to compensate or take other measures facilitating compensation of consumers that have suffered harm. The trader may also, on its own initiative, propose commitments to cease the infringement and to compensate consumers.	GREEN <i>1. <u>On the basis of a common position adopted pursuant to Article 17, the competent authorities concerned may invite the trader responsible for the <u>widespread</u> infringement or the <u>widespread infringement with a Union dimension</u> to propose <u>in a set time limit</u> commitments to cease the infringement. The trader may also, on its own initiative, propose commitments to cease the infringement or <u>offer remedial commitments to</u> consumers.</u></i>
307	-	-	-	-	-
308	Article 18 - paragraph 2	2. Where the trader proposes commitments, the competent authorities concerned, may, where appropriate, publish the proposed commitments on their websites or, as appropriate, on the Commission website to seek the views of other parties concerned and to verify whether the commitments are	2. Where the trader proposes commitments, the competent authorities concerned, may, where appropriate, publish the proposed commitments on their websites or, as appropriate, on the Commission website to seek the views of other parties concerned and to verify whether the commitments are	deleted	GREEN deleted <i>Note: see row 309</i>

		sufficient to cease the infringement and to compensate consumers.	sufficient to cease the infringement and to compensate consumers, including consumer organisations and trader organisations.		
309	Article 18 - paragraph 2a (new) - subparagraph 1		<i>2a. The competent authorities concerned shall assess the proposed commitments by the trader responsible for the infringement and communicate to the trader the outcome of the assessment agreed upon among themselves. Where those commitments are considered to be sufficient to ensure the cessation of the widespread infringement or widespread infringement with a Union dimension and, where appropriate, the compensation of consumers harmed by it, the competent authorities shall accept those commitments and set a time limit for implementation of the commitments.</i>	<u>2a. Where appropriate and without prejudice to the rules on professional and commercial secrecy set out in Article 41, the competent authorities concerned, may publish the commitments proposed by the trader on their websites or, as appropriate, the Commission may publish the commitments proposed on its website if requested by the competent authorities concerned.</u>	GREEN <u>2a. Where appropriate and without prejudice to the rules on professional and commercial secrecy set out in Article 41, the competent authorities concerned may publish the commitments proposed by the trader on their websites or, as appropriate, the Commission may publish the commitments proposed on its website if requested by the competent authorities concerned. Competent authorities and the Commission may seek the views of other parties concerned, including consumer organisations and trade organisations.</u>
310	Article 18 - paragraph 2a (new) - subparagraph 2		<i>Where it is unlikely that the widespread infringement or widespread infringement with a Union dimension will cease as a result of commitments made by the trader responsible for that infringement, the competent</i>		GREEN Note: EP text reflected in compromise text in row 314

			<i>authorities may take enforcement measures pursuant to Article 18a.</i>		
311	Article 18 - paragraph 2b (new)		<i>2b. The competent authorities concerned shall monitor the implementation of the commitments. They shall in particular ensure that the trader responsible for the infringement regularly reports to the coordinator about the progress of the implementation of the commitments.</i>		GREEN <i>Note: see row 313</i>
312	Article 18 - paragraph 3	3. The competent authorities concerned may designate one competent authority to take enforcement measures on behalf of the other competent authorities in order to bring about the cessation or to prohibit the widespread infringement, to ensure compensation of consumers or to impose penalties. When designating a competent authority to take enforcement measures the competent authorities shall take into consideration the location of the trader concerned. Once the competent authority has been designated to take enforcement measures by the other competent authorities concerned, it shall become competent to act on behalf of the consumers of each such	deleted	3. The competent authorities concerned may designate one competent authority to take enforcement measures on behalf of the other competent authorities in order to bring about the cessation or to prohibit the widespread infringement, to ensure compensation of consumers or to impose penalties. When designating a competent authority to take enforcement measures the competent authorities shall take into consideration the location of the trader concerned. Once the competent authority has been designated to take enforcement measures by the other competent authorities concerned, it shall become competent to act on behalf of the consumers of each such	GREEN 3. The competent authorities concerned may designate one competent authority to take enforcement measures on behalf of the other competent authorities in order to bring about the cessation or to prohibit the widespread infringement, to ensure compensation of consumers or to impose penalties. When designating a competent authority to take enforcement measures the competent authorities shall take into consideration the location of the trader concerned. Once the competent authority has been designated to take enforcement measures by the other competent authorities concerned, it shall become competent to act on behalf

		<p>Member State as if they were its own consumers.</p>		<p>Member State as if they were its own consumers <u>shall assess the proposed commitments and communicate the outcome of the assessment to the trader. Where commitments are sufficient and proportionate to cease the infringement, the competent authorities shall accept them and set a time limit within which the commitments have to be implemented.</u></p>	<p>of the consumers of each such Member State as if they were its own consumers <i>shall assess the proposed commitments and communicate the outcome of the assessment to the trader and, where applicable in case remedial commitments are offered shall inform consumers that claimed to have suffered harm as a consequence of the infringement of the latter. Where commitments are sufficient and proportionate to cease the infringement, the competent authorities shall accept the commitments and set a time limit within which the commitments have to be implemented.</i></p>
<p>313</p>	<p>Article 18 - paragraph 4</p>	<p>4. The competent authorities may decide to take enforcement measures simultaneously in all or some Member States concerned by the widespread infringement. In such a case, the competent authorities shall ensure that those enforcement measures are launched simultaneously in all Member States concerned.</p>	<p>deleted</p>	<p>4. The competent authorities may decide to take enforcement measures simultaneously in all or some Member States concerned by the widespread infringement. In such a case, the competent authorities shall ensure that those enforcement measures are launched simultaneously in all Member States concerned <u>shall monitor the implementation of the commitments. They shall in particular ensure that the trader</u></p>	<p>GREEN</p> <p>4. The competent authorities may decide to take enforcement measures simultaneously in all or some Member States concerned by the widespread infringement. In such a case, the competent authorities shall ensure that those enforcement measures are launched simultaneously in all Member States concerned <i>shall monitor the implementation of the commitments. They shall in</i></p>

				<u>concerned regularly reports to the coordinator about the progress of the implementation of the commitments. The competent authorities may, where appropriate, seek the views of consumer organisations and experts to verify whether the steps taken by the trader are in line with the commitments.</u>	<u>particular ensure that the trader concerned regularly reports to the coordinator about the progress of the implementation of the commitments. The competent authorities may, where appropriate, seek the views of consumer organisations and experts to verify whether the steps taken by the trader are in line with the commitments.</u> <i>Note : Reflects row 311 EP</i>
314	Article 18 - paragraph 5	5. The instruction of a designated body to take enforcement measures pursuant to paragraphs 1 to 4 shall only be possible if the competent authorities concerned give their consent to such instruction and where such instruction does not lead to disclosure of information which is subject to the rules on professional and commercial secrecy set out in Article 41.	deleted [Am. 80]	deleted	GREEN deleted <i>Note: reflects EP text in rows 317-321 and in row 310</i>
315	Article 18a (new)		Article 18a (new)	Article 18a (new)	Article 18a (new)
316	Article 18a (new) - title		<i>Enforcement measures in coordinated actions</i>	<u>Enforcement measures in coordinated actions</u>	<u>Enforcement measures in coordinated actions</u>

317	Article 18a (new) - paragraph 1		<p><i>1. The competent authorities concerned shall agree which competent authority, or, where necessary, competent authorities, is to take, on behalf of the other competent authorities, enforcement measures, including the imposition on the trader of sanctions and of an order requiring him to pay compensation to the consumers harmed by it, where:</i></p>	<p><u>1. The competent authorities concerned shall take within their jurisdiction all necessary enforcement measures against the trader responsible for the widespread infringement to bring about the cessation or prohibition of the widespread infringement. Where appropriate they shall impose fines or periodic penalty payments on the trader responsible for the widespread infringement.</u></p>	<p>GREEN</p> <p><i><u>1. The competent authorities concerned shall take within their jurisdiction all necessary enforcement measures against the trader responsible for the widespread infringement to bring about the cessation or prohibition of the widespread infringement. Where appropriate they shall impose penalties, for instance fines or periodic penalty payments, on the trader responsible for the widespread infringement. The requested authority may receive from the trader, on its own initiative, additional remedial commitments for consumers affected by the alleged infringement, or where appropriate seek to obtain commitments from the trader to offer adequate remedies to consumers concerned by the infringement. Enforcement measures are particularly appropriate where:</u></i></p>
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(a-1) immediate enforcement action is required to bring about the swift and effective cessation or prohibition of the infringement;

(a) it is unlikely that the infringement will cease as a result of the commitments proposed by the trader responsible for the infringement;

(b) the trader responsible for the infringement does not propose commitments before the expiry of a time limit set by the competent authorities concerned;

(c) the trader responsible for the infringement proposes commitments which are insufficient to ensure the cessation of the infringement or, where appropriate, to remedy consumers harmed by the infringement; or

					<u><i>(d) the trader responsible for the infringement fails to implement the commitments to cease the infringement or, where appropriate, to remedy consumers harmed by the infringement, before the expiry of the time limit set out in Article 18(1);</i></u>
318	Article 18a (new) - paragraph 1 - point a (new)		<i>(a) it is unlikely that the infringement will cease as a result of the commitments proposed by the trader responsible for the infringement;</i>		GREEN <i>Note: see row 314</i>
319	Article 18a (new) - paragraph 1 - point b (new)		<i>(b) the trader responsible for the infringement does not propose commitments before the expiry of a time limit set by the competent authorities concerned;</i>		GREEN <i>Note: see row 314</i>
320	Article 18a (new) - paragraph 1 - point c (new)		<i>(c) the trader responsible for the infringement proposes commitments which are insufficient to ensure the cessation of the infringement and the compensation of consumers harmed by the infringement; or</i>		GREEN <i>Note: see row 314</i>
321	Article 18a (new) - paragraph 1 - point d (new)		<i>(d) the trader responsible for the infringement fails to implement the commitments before the</i>		GREEN <i>Note: see row 314</i>

			<i>expiry of the time limit set out in Article 18(2a).</i>		
322	Article 18a (new) - paragraph 2		<i>2. Once a competent authority has been designated to take enforcement measures by the other competent authorities concerned, it shall be competent to act on behalf of the consumers in each of the other Member States concerned as if they were its own consumers. When designating a competent authority to take enforcement measures, the competent authorities shall take into consideration all relevant aspects conducive to effective enforcement.</i>	<u>2. Enforcement measures pursuant to paragraph 1 shall be taken in an effective, efficient and coordinated manner to bring about the cessation or prohibition of the widespread infringement. The competent authorities concerned shall seek to take enforcement measures simultaneously in Member States concerned by the widespread infringement.</u>	GREEN <i>2. Enforcement measures pursuant to paragraph 1 shall be taken in an effective, efficient and coordinated manner to bring about the cessation or prohibition of the widespread infringement. The competent authorities concerned shall seek to take enforcement measures simultaneously in Member States concerned by the widespread infringement.</i> <i>Note: reflects EP text in row 323</i>
323	Article 18a (new) - paragraph 3		<i>3. Where the competent authorities do not proceed in accordance with paragraph 2, they shall take enforcement measures simultaneously in several or all of the Member States concerned by the widespread infringement or the widespread infringement with a Union dimension.</i>		GREEN <i>Note: see row 322</i>
324	Article 18a (new) - paragraph 4		<i>4. A designated competent authority may be directed to take enforcement measures pursuant to paragraphs 1 to 3 of this</i>		GREEN <i>Note: agreement not to endorse</i>

			<i>Article only if the competent authorities of the Member States concerned by such measures give their consent and only if this does not lead to disclosure of information which is subject to the rules on professional and commercial secrecy set out in Article 41. [Am. 81]</i>		
325	Article 19	<i>Article 19</i>	<i>Article 19</i>	<i>Article 19</i>	<i>Article 19</i>
326	Article 19 - title	Closure of the coordinated actions	Closure of the coordinated actions	Closure of the coordinated actions	Closure of the coordinated actions
327	Article 19 - paragraph -1 (new)		<i>1. The competent authorities concerned shall decide to close the coordinated action where they conclude that:</i>	<u>1. The coordinated action shall be closed if the competent authorities concerned conclude that the widespread infringement has ceased or has been prohibited in all Member States concerned or there was no widespread infringement committed.</u>	GREEN <i><u>1. The coordinated action shall be closed if the competent authorities concerned conclude that the widespread infringement has ceased or has been prohibited in all Member States concerned or there was no widespread infringement committed.</u></i>
328	Article 19 - paragraph -1 (new) - point a		<i>(a) no widespread infringement or widespread infringement with a Union dimension has occurred;</i>		GREEN deleted
329	Article 19 - paragraph -1 (new) - point b		<i>(b) following the implementation of commitments by the trader responsible for it, the widespread infringement or widespread</i>		GREEN deleted

			<i>infringement with a Union dimension has ceased;</i>		
330	Article 19 - paragraph -1 (new) - point c		<i>(c) following enforcement measures, the widespread infringement or widespread infringement with a Union dimension has ceased.</i>		GREEN deleted
331	Paragraph -1 a (new)			<u>2. The coordinated action shall be closed if the Commission declines to take the role of the coordinator pursuant to Paragraph 2 of Article 16 and the competent authorities concerned decide to close the coordinated action.</u>	GREEN <i>Note: Not endorsed, following decision on Article 16</i>
332	Paragraph 1	The coordinating authority shall inform the Commission and competent authorities of the Member States concerned without delay when the widespread infringement has ceased or has been prohibited.	2. The coordinating authority <i>coordinator</i> shall inform notify the Commission and, <i>where applicable, the</i> competent authorities <i>and the single liaison offices</i> of the Member States concerned without delay when the widespread infringement has ceased or has been prohibited <i>of the closure of the coordinated action</i>. [Am. 82]	<u>3. The coordinating authority coordinator or one of the competent authorities concerned in cases where the coordinated action was closed pursuant to paragraph 2 shall inform notify the Commission, single liaison offices concerned and competent authorities of the Member State concerned without delay the closure of the coordinated action when the widespread infringement has ceased or has been prohibited.</u>	GREEN 2. The coordinating authority <i>coordinator</i> shall inform notify the Commission and, <i>where applicable, the</i> competent authorities <i>and the single liaison offices</i> of the Member States concerned without delay when the widespread infringement has ceased or has been prohibited <i>of the closure of the coordinated action</i>.
333	Article 19a (new)		Article 19a (new)		GREEN

334	Article 19a (new) - title		<i>Re-opening of coordinated actions</i>		GREEN <i>Note: agreement not to endorse</i>
335	Article 19a (new) - paragraph 1		<i>The coordinator shall, without delay, notify the Commission, where applicable, and the competent authorities and the single liaison offices of the Member States concerned if the widespread infringement or widespread infringement with a Union dimension recurs and further measures are to be taken. In that event, the coordination may take place without launching a new coordinated action.</i> [Am. 83]		GREEN <i>Note: agreement not to endorse</i>
336	Article 20	<i>Article 20</i>	<i>Article 20</i>	deleted	GREEN deleted
337	Article 20 - title	Implementing powers	Implementing powers	deleted	GREEN deleted
338	Article 20 - paragraph 1	The Commission may adopt implementing acts setting out the details of the procedures for common actions for widespread infringements, in particular the standard forms for notifications and other exchanges between competent authorities and the Commission. Those implementing	The Commission may adopt implementing acts setting out the details of the procedures for common actions for widespread infringements, in particular laying down the time limits and the standard forms for notifications and other exchanges <i>of</i>	deleted	GREEN deleted <i>Note: agreement not to endorse</i>

		acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	<i>information and enforcement requests</i> between competent authorities and the Commission <i>for coordinated actions in relation to widespread infringements and widespread infringements with a Union dimension</i> . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). [Am. 84]		
339	Section II	Section II	deleted	deleted	GREEN
340	Section II - title	WIDESPREAD INFRINGEMENTS WITH A UNION DIMENSION	deleted	deleted	GREEN
341	Article 21	<i>Article 21</i>	deleted	deleted	GREEN
342	Article 21 - title	Common actions for widespread infringements with a Union dimension	deleted	deleted	GREEN
343	Article 21 - paragraph 1	1. Where there is a reasonable suspicion that a widespread infringement harmed, harms or is likely to harm consumers in at least three quarters of the Member States accounting together for at least three quarters of the	deleted	deleted	GREEN

		population of the Union ("widespread infringement with a Union dimension"), the Commission shall launch a common action. For that purpose the Commission may request the necessary information or documents from the competent authorities.			
344	Article 21 - paragraph 2	2. The decision to launch the common action shall be notified to the single liaison offices of the Member States concerned by the common action.	deleted	deleted	GREEN
345	Article 21 - paragraph 3	3. A competent authority may decline to take part in the common action for one of the following reasons:	deleted	deleted	GREEN
346	Article 21 - paragraph 3 - point a	(a) judicial proceedings have already been initiated concerning the same infringement against the same trader in that Member State;	deleted	deleted	GREEN
347	Article 21 - paragraph 3 - point b	(b) final judgment or a final administrative decision has already been passed in respect of the same infringement against the same trader in that Member State.	deleted	deleted	GREEN
348	Article 21 - paragraph 4	4. Following the notification of the decision to launch the common action pursuant to paragraph 2, where a competent authority	deleted	deleted	GREEN

		decides not to take part in the common action, it shall without delay inform the Commission and the other competent authorities concerned about its decision, state the reasons for it pursuant to paragraph 3 and provide the necessary supporting documents.			
349	Article 21 - paragraph 5	5. The Commission shall coordinate the common action.	deleted	deleted	GREEN
350	Article 22	<i>Article 22</i>	deleted	deleted	GREEN
351	Article 22 - title	Investigation measures	deleted	deleted	GREEN
352	Article 22 - paragraph 1	1. The competent authorities concerned coordinated by the Commission shall conduct simultaneous investigations to establish whether a widespread infringement with a Union dimension occurs.	deleted	deleted	GREEN
353	Article 22 - paragraph 2	2. The competent authorities concerned may use the mutual assistance mechanism pursuant to Chapter III, in particular to gather evidence and information from Member States other than the Member States concerned by the common action or to ensure that the trader concerned does not circumvent enforcement measures.	deleted	deleted	GREEN

354	Article 23	<i>Article 23</i>	deleted	deleted	GREEN
355	Article 23 - title	Investigation measures	deleted	deleted	GREEN
356	Article 23 - paragraph 1	1. The outcome of the investigation and the assessment of the widespread infringement with a Union dimension shall be set out in a common position agreed upon among the competent authorities concerned.	deleted	deleted	GREEN
357	Article 23 - paragraph 2	2. Where it is unlikely that the infringement will cease as a result of commitments from the trader responsible for the infringement, the competent authorities may take enforcement measures pursuant to Article 25 without establishing a common position and inviting the trader responsible for the infringement to propose commitments.	deleted	deleted	GREEN
358	Article 23 - paragraph 3	3. Where appropriate, and without prejudice to the rules on professional and commercial secrecy set out in Article 41, the competent authorities may decide to publish the common position or parts of it on their websites and on the Commission website or where it is appropriate to seek the views of other parties concerned.	deleted	deleted	GREEN

359	Article 24	<i>Article 24</i>	deleted	deleted	GREEN
360	Article 24 - title	Commitments	deleted	deleted	GREEN
361	Article 24 - paragraph 1	1. The competent authorities concerned, coordinated by the Commission, may invite the trader responsible for the widespread infringement with a Union dimension to propose commitments to cease the infringement and to compensate consumers that have suffered harm as a result of the infringement. The trader may also, on its own initiative, propose commitments to cease the infringement and to compensate consumers.	deleted	deleted	GREEN
362	Article 24 - paragraph 2	2. Where the trader proposes commitments, the competent authorities concerned may, where appropriate, publish the proposed commitments on their websites and on the Commission website to seek the views of other parties concerned and to verify whether those commitments are sufficient to cease the infringement and to compensate consumers.	deleted	deleted	GREEN
363	Article 24 - paragraph 3	3. The competent authorities concerned shall assess the proposed commitments and	deleted	deleted	GREEN

		communicate the outcome of the assessment to the trader in a common position. Where commitments are sufficient to cease the infringement and where appropriate to compensate consumers, the competent authorities shall accept them and set a time limit within which the commitments have to be implemented.			
364	Article 24 - paragraph 4	4. The competent authorities concerned shall monitor the implementation of the commitments. They shall in particular ensure that the trader concerned regularly reports to the Commission about the progress of the implementation of the commitments. The competent authorities may, where appropriate, seek the views of consumer organisations, other concerned parties and experts to verify whether the steps taken by the trader are in line with the commitments.	deleted	deleted	GREEN
365	Article 25	<i>Article 25</i>	deleted	deleted	GREEN
366	Article 25 - title	Enforcement measures	deleted	deleted	GREEN

367	Article 25 - paragraph 1	1. The competent authorities concerned shall agree which competent authority, or competent authorities where necessary, shall take enforcement measures against the trader on behalf of other competent authorities where one of the following applies:	deleted	deleted	GREEN
368	Article 25 - paragraph 1 - point a	(a) it is unlikely that the infringement will cease as a result of commitments from the trader responsible for the infringement;	deleted	deleted	GREEN
369	Article 25 - paragraph 1 - point b	(b) the trader does not propose commitments;	deleted	deleted	GREEN
370	Article 25 - paragraph 1 - point c	c) the trader proposes commitments which are insufficient to cease the infringement and to compensate consumers;	deleted	deleted	GREEN
371	Article 25 - paragraph 1 - point d	(d) the trader fails to implement the commitments within the time limit set out in paragraph 3;	deleted	deleted	GREEN
372	Article 25 - paragraph 2	2. Once a competent authority is designated to take enforcement measures by the other competent authorities concerned, it shall be competent to act on behalf of the consumers of each Member State as if they were its own consumers. When designating a competent	deleted	deleted	GREEN

		authority to take enforcement measures, the competent authorities shall take the location of the trader concerned into consideration.			
373	Article 25 - paragraph 3	3. Where the competent authorities do not proceed in accordance with paragraph 2, they shall take enforcement measures simultaneously in several or all Member States concerned by the widespread infringement with a Union dimension. The competent authorities shall ensure that those enforcement measures are launched simultaneously in all Member States concerned.	deleted	deleted	GREEN
374	Article 25 - paragraph 4	4. The instruction of a designated body to take enforcement measures pursuant to paragraphs 1 to 3 of this Article shall only be possible if the competent authorities of the Member States concerned by such measures give their consent and where such instruction does not lead to disclosure of information which is subject to the rules on professional and commercial secrecy set out in Article 41.	deleted	deleted	GREEN
375	Article 26	<i>Article 26</i>	deleted	deleted	GREEN

376	Article 26 - title	Closure of common actions for widespread infringements with a Union dimension	deleted	deleted	GREEN
377	Article 26 - paragraph 1	1. The Commission shall decide to close the common action where one of the following applies:	deleted	deleted	GREEN
378	Article 26 - paragraph 1 - point a	(a) where the conditions for the common action pursuant to Article 21(1) are not met;	deleted	deleted	GREEN
379	Article 26 - paragraph 1 - point b	(b) the competent authorities concerned conclude that no widespread infringement with a Union dimension has occurred;	deleted	deleted	GREEN
380	Article 26 - paragraph 1 - point c	(c) the competent authorities concerned conclude that following the implementation of commitments by the trader, the infringement has ceased and, where appropriate, the consumers were compensated;	deleted	deleted	GREEN
381	Article 26 - paragraph 1 - point d	(d) the competent authorities concerned conclude that following enforcement measures pursuant to Article 25 the infringement has ceased or has been prohibited and, where appropriate, the consumers were compensated.	deleted	deleted	GREEN
382	Article 26 - paragraph 2	2. The Commission shall notify the single liaison office of the Member States concerned of the	deleted	deleted	GREEN

		decision to close the common action.			
383	Article 27	<i>Article 27</i>	deleted	deleted	GREEN
384	Article 27 - title	Implementing powers	deleted	deleted	GREEN
385	Article 27 - paragraph 1	The Commission may adopt implementing acts setting out the details of the procedures for common actions for widespread infringements with a Union dimension, in particular the standard forms for notifications and other exchanges between competent authorities and the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 85]	deleted	GREEN
386	Section III	Section III	Section III	deleted	deleted
387	Section III - title	GENERAL PROVISIONS APPLICABLE TO COORDINATED ACTIONS AND TO COMMON ACTIONS UNDER THIS CHAPTER	GENERAL PROVISIONS APPLICABLE TO COORDINATED ACTIONS AND TO COMMON ACTIONS UNDER THIS CHAPTER [Am. 86]	deleted	deleted
388	Article 28	<i>Article 28</i>	<i>Article 28</i>	deleted	GREEN deleted

389	Article 28 - title	Procedure for decisions amongst Member States	Procedure for decisions amongst Member States	deleted	GREEN deleted <i>Note: see row 264-265</i>
390	Article 28 - paragraph 1	For matters pursuant to this Chapter, the competent authorities concerned shall act by consensus.	For matters pursuant to this Chapter, the competent authorities concerned shall act by consensus.	deleted	GREEN deleted <i>Note: see row 264-265</i>
391	Article 29	<i>Article 29</i>	<i>Article 29</i>	<i>Article 29</i>	<i>Article 29</i>
392	Article 29 - title	Role of the coordinator	Role of the coordinator	Role of the coordinator	Role of the coordinator
393	Article 29 - paragraph 1	1. The coordinator appointed in accordance with Articles 16, 21 or 32 shall in particular:	1. The coordinator appointed in accordance with Articles 16, 21 or 32 shall in particular: [Am. 87]	1. The coordinator appointed in accordance with Articles 16, 21 or 32-36a shall in particular:	GREEN 1. The coordinator appointed in accordance with Articles 16, 21 or 32-36a shall in particular:
394	Article 29 - paragraph 1 - point a	(a) ensure that all the competent authorities concerned and the Commission are duly informed in a timely manner of the progress of the enforcement action, the anticipated next steps and the measures to be adopted;	(a) ensure that all the competent authorities concerned and, <i>where applicable</i> , the Commission are duly informed in a timely manner of the progress of the enforcement action, the anticipated next steps and the measures to be adopted; [Am. 88]	(a) ensure that all the competent authorities concerned and the Commission are duly informed in a timely manner of the progress of the enforcement action, the anticipated next steps and the measures to be adopted;	GREEN (a) ensure that all the competent authorities concerned and the Commission are duly informed in a timely manner of the progress of the enforcement action, the anticipated next steps and the measures to be adopted;
395	Article 29 - paragraph 1 - point b	(b) coordinate the investigations, the inspections and the adoption of interim measures that are decided upon by the competent authorities concerned in accordance with	(b) coordinate <i>and monitor</i> the investigations, the inspections and the adoption of interim measures that are decided upon by the competent authorities concerned in	(b) coordinate and follow the investigations, the inspections and the adoption of interim measures that are decided upon measures taken by the competent authorities	GREEN (b) coordinate <i>and monitor</i> the investigation , the inspections and the adoption of interim measures that are decided upon measures

		sections I and II, monitor investigations, inspections and interim measures, as well as other measures, pursuant to Article 8;	accordance with <i>section I</i> sections I and II, monitor investigations, inspections and interim measures, as well as other measures, pursuant to Article 8; [Am. 89]	concerned in accordance with sections I and II, monitor investigations, inspections and interim measures, as well as other measures, pursuant to Article 8;	<i>taken</i> by the competent authorities concerned in accordance with <i>Chapter IV</i> sections I and II, monitor investigations, inspections and interim measures, as well as other measures, pursuant to Article 8;
396	Article 29 - paragraph 1 - point c	(c) coordinate the preparation and sharing of all necessary documents among the competent authorities concerned and the Commission;	(c) coordinate the preparation and sharing of all necessary documents among the competent authorities concerned and, <i>where applicable</i> , the Commission; [Am. 90]	(c) coordinate the preparation and sharing of all necessary documents among the competent authorities concerned and the Commission;	GREEN (c) coordinate the preparation and sharing of all necessary documents among the competent authorities concerned and the Commission; <i>Note: “where applicable” to be checked by lawyers-linguists</i>
397	Article 29 - paragraph 1 - point d	(d) maintain contact with the traders and other parties concerned by the surveillance, investigation and enforcement measures, unless otherwise agreed upon by the competent authorities concerned and the Commission;	(d) maintain contact with the traders and other parties concerned by the surveillance, investigation and enforcement measures, unless otherwise agreed upon by the competent authorities concerned, <i>the coordinator</i> and, <i>where applicable</i> , the Commission; [Am. 91]	(d) maintain contact with the trader and other parties concerned by the surveillance , investigation and enforcement measures, unless otherwise agreed upon by the competent authorities concerned and the Commission coordinator ;	GREEN (d) maintain contact with the trader and other parties concerned by the surveillance , investigation and enforcement measures, unless otherwise agreed upon by the competent authorities concerned and the Commission coordinator ; <i>Note: “where applicable” to be checked by lawyers-linguists</i>
398	Article 29 - paragraph 1 - point e	(e) coordinate the assessment, the consultations and the monitoring by the competent authorities concerned as well as other steps necessary to process and	(e) coordinate the assessment, the consultations and the monitoring by the competent authorities concerned as well as other steps necessary to process and	(e) coordinate the assessment, the consultations and the monitoring by the competent authorities concerned as well as other steps necessary to process and	(e) coordinate the assessment, the consultations and the monitoring by the competent authorities concerned as well as other steps necessary to process and

		implement commitments proposed by the traders concerned;	implement commitments proposed by the traders concerned;	implement commitments proposed by the traders concerned;	implement commitments proposed by the traders concerned;
399	Article 29 - paragraph 1 - point f	(f) coordinate other enforcement measures adopted by the competent authorities concerned, including applications to the courts for the necessary orders and decisions, the imposition of penalties and the adoption of measures ensuring consumer compensation;	(f) coordinate other enforcement measures adopted by the competent authorities concerned, including applications to the courts for the necessary orders and decisions, the imposition of penalties <i>sanctions</i> and the adoption of measures ensuring consumer compensation; [Am. 92]	(f) coordinate other enforcement measures adopted by the competent authorities concerned, including applications to the courts for the necessary orders and decisions, the imposition of penalties and the adoption of measures ensuring consumer compensation;	GREEN (f) coordinate other enforcement measures adopted by the competent authorities concerned, including applications to the courts for the necessary orders and decisions, the imposition of penalties and the adoption of measures ensuring consumer compensation;
400	Article 29 - paragraph 1 - point g	(g) coordinate mutual assistance requests lodged by the competent authorities concerned pursuant to Chapter III.	(g) coordinate mutual assistance requests lodged by the competent authorities concerned pursuant to Chapter III.	(g) coordinate mutual assistance requests lodged by the competent authorities concerned pursuant to Chapter III.	GREEN (g) coordinate mutual assistance requests lodged by the competent authorities concerned pursuant to Chapter III.
401	Article 29 - paragraph 2	2. The coordinator shall not be held responsible for the actions or the omissions of the competent authorities concerned when making use of the powers set out in Article 8.	2. The coordinator shall not be held responsible for the actions or the omissions of the competent authorities concerned when making use of the powers set out in Article 8.	2. The coordinator shall not be held responsible for the actions or the omissions of the competent authorities concerned when making use of the powers set out in Article 8.	GREEN 2. The coordinator shall not be held responsible for the actions or the omissions of the competent authorities concerned when making use of the powers set out in Article 8.
402	Article 29 - paragraph 2a (new)			<u>2a. Where the coordinated actions concern widespread infringements of the Union legislation pursuant to paragraph 6 of Article 2 the coordinator shall invite the</u>	GREEN <u>2a. Where the coordinated actions concern widespread infringements of the Union legislation pursuant to paragraph 6 of Article 2 the coordinator</u>

				<u>European Banking Authority to take an observer role.</u>	<i>shall invite the <u>European Banking Authority to take an observer role.</u></i>
403	Article 30	<i>Article 30</i>	<i>Article 30</i>	<i>Article 30</i>	<i>Article 30</i>
404	Article 30 - title	Duty of cooperation and language arrangements	Duty of cooperation and language arrangements	<u>Duty of cooperation and Language arrangements</u>	GREEN Duty of cooperation and Language arrangements
405	Article 30 - paragraph 1	1. The competent authorities shall coordinate their market surveillance activities and their investigation and enforcement measures to address widespread infringements pursuant to sections I and II. They shall exchange all necessary information and provide each other and the Commission with any other assistance needed without delay.	1. The competent authorities shall coordinate their market surveillance activities and their investigation and enforcement measures to address widespread infringements pursuant to sections I and II section I . They shall exchange all necessary information and provide each other and the Commission with any other assistance needed without delay. [Am. 93]	deleted	GREEN deleted <i>Note: see Council's Article 15aa new</i>
406	Article 30 - paragraph 2	2. The competent authorities shall make available adequate resources to conduct coordinated investigations and enforcement actions. The competent authorities may invite Commission officials and other accompanying persons authorised by the Commission to participate in the coordinated investigations, enforcement actions and other measures pursuant to this Chapter.	2. The competent authorities shall make available adequate resources to conduct coordinated investigations and enforcement actions. The competent authorities may invite Commission officials and other accompanying persons authorised by the Commission to participate in the coordinated investigations, enforcement actions and other measures pursuant to this Chapter.	deleted	GREEN deleted <i>Note: see Council's Article 5(5), as amended</i>

407	Article 30 - paragraph 3	3. The languages used by the competent authorities and the Commission for notifications and for all communications linked to the coordinated actions, common actions and concerted investigations of consumer markets pursuant to this Chapter shall be agreed upon by the competent authorities concerned and the Commission.	3. The languages used by the competent authorities and the Commission for notifications and for all communications linked to the coordinated actions, common actions and concerted investigations of consumer markets <i>sweeps</i> pursuant to this Chapter shall be agreed upon by the competent authorities concerned and the Commission. [Am. 94]	3. The languages used by the competent authorities and the Commission for notifications and for all communications linked to the coordinated actions, common actions and concerted investigations of consumer markets pursuant to this Chapter shall be agreed upon by the competent authorities concerned and the Commission .	GREEN 3. The languages used by the competent authorities and the Commission for notifications and for all communications linked to the coordinated actions, common actions and concerted investigations of consumer markets <i>sweeps</i> pursuant to this Chapter shall be agreed upon by the competent authorities concerned and the Commission .
408	Article 30 - paragraph 4	4. If no agreement can be reached, notifications and other communications shall be sent in the official language of the Member State making the notification or other communication. In that case, each competent authority concerned shall ensure the necessary translations of the notifications, communications and other documents that it receives from other competent authorities.	4. If no agreement can be reached, notifications and other communications shall be sent in the official language of the Member State making the notification or other communication. In that case, each competent authority concerned shall <i>if necessary</i> ensure the necessary <i>production of</i> translations of the notifications, communications and other documents that it receives from other competent authorities. [Am. 95]	4. If no agreement can be reached <u>between the competent authorities concerned,</u> notifications and other communications shall be sent in the official language of the Member State making the notification or other communication. In that case, <u>if necessary,</u> each competent authority concerned shall ensure the necessary translations of the notifications, communications and other documents that it receives from other competent authorities.	GREEN 4. If no agreement can be reached <u>between the competent authorities concerned,</u> notifications and other communications shall be sent in the official language of the Member State making the notification or other communication. In that case, <u>if necessary,</u> each competent authority concerned shall ensure the necessary translations of the notifications, communications and other documents that it receives from other competent authorities.
409	Article 30 - paragraph 5	5. Where the coordinated or common actions pursuant to	5. Where the coordinated or common actions pursuant to	deleted	GREEN deleted

		sections I and II concern widespread infringements of the following Union legislation the coordinator shall invite the European Banking Authority to take an observer role:	sections I and II section I concern widespread infringements of or widespread infringements with a Union dimension which contravene the following Union legislation, the coordinator shall invite the European Banking Authority to take act as an observer role: [Am. 96]		Note: moved to row 402
410	Article 30 - paragraph 5 - point a	(a) Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property;	(a) Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property;	deleted	GREEN deleted
411	Article 30 - paragraph 5 - point b	(b) Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.	(b) Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.	deleted	GREEN deleted
412	Article 31	<i>Article 31</i>	<i>Article 31</i>	<i>Article 31</i>	<i>Article 31</i>
413	Article 31 - title	Common position and hearing of traders	Common position and hearing of Language arrangements for communication with traders [Am. 97]	Common position and hearing of Language arrangements for communication with traders	GREEN Common position and hearing of Language arrangements for communication with traders

414	Article 31 - paragraph 1	1. The common position referred to in Articles 17 and 23 shall be communicated to the trader responsible for the infringement. The trader responsible for the infringement shall be given the opportunity to be heard on the matters which are part of the common position.	deleted [Am. 98]	deleted	deleted
415	Article 31 - paragraph 2 [EP] Article 31 - single paragraph [Council]	2. The trader shall be entitled to communicate in the official language of the Member State of its establishment or residence. The trader may waive that right or request that another official language of the Union be used for communicating with the competent authorities.	2. The trader shall be entitled to communicate in the official language of the Member State of its <i>his</i> establishment or residence. The trader may waive that right or request that another official language of the Union be used for communicating with the competent authorities. [Am. 99]	<u>For the purposes of the procedures set out in this Chapter, the trader shall be entitled to communicate in the official language or one of the official languages used for official purposes of the Member State of its establishment or residence.</u>	GREEN 2. The trader shall be entitled to communicate in the official language of the Member State of its establishment or residence. The trader may waive that right or request that another official language of the Union be used for communicating with the competent authorities. <i>For the purposes of the procedures set out in this Chapter, the trader shall be entitled to communicate in the official language or one of the official languages used for official purposes of the Member State of its establishment or residence.</i>
416	Article 31 - paragraph 3	3. The Commission may adopt implementing acts setting out the details of the implementation of traders' rights of defence in coordinated and common actions. Those implementing acts shall be	deleted [Am. 100]	deleted	GREEN deleted

		adopted in accordance with the examination procedure referred to in Article 48(2).			
417	Article 32	<i>Article 32</i>	<i>Article 32</i>	deleted	GREEN deleted
418	Article 32 - title	Concerted investigations of consumer markets	Concerted investigations of consumer markets <i>Sweeps</i>	deleted <i>(Note: see Council Article 36a)</i>	GREEN deleted <i>See Article 36a</i>
419	Article 32 - paragraph 1	1. Where market trends, consumer complaints or other indications suggest that widespread infringements may have occurred, occur or may occur, the competent authorities concerned may decide to conduct a concerted investigation of consumer markets ("sweep"). Such a concerted investigation shall be coordinated by the Commission.	1. Where market trends, consumer complaints or other indications suggest that widespread infringements may have occurred, occur or may occur, the competent authorities concerned may decide to conduct a concerted investigation of consumer markets ("sweep"). Such a concerted investigation shall be coordinated by the Commission <i>sweeps</i> .	deleted	GREEN deleted
420	Article 32 - paragraph 1a (new)		<i>1a. Sweeps shall be coordinated by the Commission.</i>		GREEN
421	Article 32 - paragraph 2	2. When conducting concerted investigations, the competent authorities concerned shall make effective use of the powers set out in Article 8 and other powers conferred upon them by national law.	2. When conducting concerted investigations <i>sweeps</i> , the competent authorities concerned <i>participating in them</i> shall make effective use of the powers set out in Article 8 and other powers conferred upon them by national law.	deleted	GREEN deleted

422	Article 32 - paragraph 3	3. The competent authorities may invite Commission officials and other accompanying persons authorised by the Commission to participate in sweeps.	3. The competent authorities may invite <i>designated bodies</i> , Commission officials and other accompanying persons authorised by the Commission, <i>when appropriate and duly substantiated</i> , to participate in sweeps.	deleted	GREEN deleted
423	Article 32 - paragraph 4	4. The Commission may adopt implementing acts setting out the details of the procedures for sweeps. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	4. The Commission may adopt implementing acts setting out the details of the procedures for sweeps. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). [Am. 101]	deleted	GREEN deleted
424	CHAPTER V	CHAPTER V	CHAPTER V	CHAPTER V	CHAPTER V
425	CHAPTER V - title	CONSUMER PROTECTION COOPERATION SURVEILLANCE MECHANISM	CONSUMER PROTECTION COOPERATION SURVEILLANCE MECHANISM	CONSUMER PROTECTION COOPERATION SURVEILLANCE MECHANISM UNION-WIDE ACTIVITIES	CONSUMER PROTECTION COOPERATION SURVEILLANCE MECHANISM UNION-WIDE ACTIVITIES
426	Article 33	Article 33	Article 33	deleted	GREEN
427	Article 33 - title	Surveillance mechanism	Surveillance mechanism	deleted	GREEN deleted

428	Article 33 - paragraph 1	1. The Commission shall maintain a surveillance mechanism for the exchange of information related to infringements or suspected infringements.	1. The Commission shall maintain a surveillance mechanism for the exchange of information related to infringements or suspected infringements.	deleted	GREEN deleted
429	Article 33 - paragraph 2	2. The surveillance mechanism shall consist of the alert mechanism pursuant to Article 34 and the exchange of other information relevant for the detection of infringements or suspected infringements pursuant to Article 36.	2. The surveillance mechanism shall consist of the alert mechanism pursuant to Article 34 and the exchange of other information relevant for the detection of infringements or suspected infringements pursuant to Article 36.	deleted	GREEN deleted
430	Article 33 - paragraph 3	3. The surveillance mechanism shall be implemented through the database referred to in Article 43.	3. The surveillance mechanism shall be implemented through the database referred to in Article 43.	deleted	GREEN deleted
431	Article 34	<i>Article 34</i>	<i>Article 34</i>	<i>Article 34</i>	GREEN
432	Article 34 - title	Alert mechanism	Alert mechanism	Alerts mechanism	Alerts mechanism
433	Article 34 - paragraph 1	1. A competent authority shall without delay notify the Commission and other competent authorities of any reasonable suspicion that an infringement is taking place on its territory that may affect consumers' interests in other Member States ('alert') using the standard form via the database referred to in Article 43.	1. A competent authority shall without delay notify the Commission and other competent authorities of any reasonable suspicion that an <i>intra-Union infringement or a widespread</i> infringement is taking place on its territory that may affect consumers' interests in other Member States ('alert') using the	1. A competent authority shall without delay notify the Commission and other competent authorities concerned of any reasonable suspicion that an intra-Union infringement or widespread infringement is taking place on its territory that may affect consumers' interests in other Member States ('alert')-using the	GREEN 1. A competent authority shall without delay notify the Commission and other competent authorities of any reasonable suspicion that an <i>intra-Union infringement or a widespread</i> infringement is taking place on its territory that may affect consumers' interests in other Member States ('alert') using the

			standard form via the database referred to in Article 43.	standard form via the database referred to in Article 43.	standard form via the database referred to in Article 43.
434	Article 34 - paragraph 2	2. The Commission shall without delay notify the competent authorities concerned of any reasonable suspicion that an infringement has occurred on the Union's territory ('alert') via the database referred to in Article 43.	2. The Commission shall without delay notify the competent authorities concerned of any reasonable suspicion that an <i>intra-Union infringement or a widespread</i> infringement has occurred on the Union's territory ('alert') via the database referred to in Article 43.	2. The Commission shall without delay notify the competent authorities concerned of any reasonable suspicion that a <u>widespread</u> infringement has occurred <u>in at least three Member States</u> on the Union's territory ('alert') via the database referred to in Article 43.	GREEN 2. The Commission shall without delay notify the competent authorities concerned of any reasonable suspicion that an <i>intra-Union infringement or a widespread</i> infringement has occurred on the Union's territory ('alert') via the database referred to in Article 43. <i>Note : Lawyers-linguists to check horizontally when and where to refer to widespread infringements with Union dimension</i>
435	Article 34 - paragraph 3 - introductory part	3. In an alert the competent authority or the Commission shall provide, where available, in particular the following information about the suspected infringement:	3. In an alert the competent authority or the Commission shall provide, where available, in particular the following information about the suspected <i>intra-Union infringement or a widespread</i> infringement:	3. In an alert the competent authority or the Commission shall provide, where available, in particular the following information about the suspected infringement:	GREEN 3. In an alert the competent authority or the Commission shall provide, where available, in particular the following information about the suspected <i>intra-Union infringement or widespread</i> infringement:
436	Article 34 - paragraph 3 - point a	(a) a description of the act or omission that constitutes the infringement;	(a) a description of the act or omission that constitutes the infringement;	(a) a description of the act or omission that constitutes the infringement;	GREEN (a) a description of the act or omission that constitutes the infringement;

437	Article 34 - paragraph 3 - point b	(b) the product or service concerned by the infringement;	(b) the product or service concerned by the infringement;	(b) the product or service concerned by the infringement;	GREEN (b) the product or service concerned by the infringement;
438	Article 34 - paragraph 3 - point c	(c) the Member States concerned or possibly concerned by the infringement;	(c) the Member States concerned or possibly concerned by the infringement;	(c) the Member States concerned or possibly concerned by the infringement;	GREEN (c) the Member States concerned or possibly concerned by the infringement;
439	Article 34 - paragraph 3 - point d	(d) the trader responsible or suspected of being responsible for the infringement;	(d) the trader responsible or suspected of being responsible for the infringement;	(d) the trader responsible or suspected of being responsible for the infringement;	GREEN (d) the trader responsible or suspected of being responsible for the infringement;
440	Article 34 - paragraph 3 - point e	(e) the legal basis for possible actions by reference to national law and the corresponding provisions of the Union acts in the Annex to this Regulation;	(e) the legal basis for possible actions by reference to national law and the corresponding provisions of the Union acts <i>listed</i> in the Annex to this Regulation;	(e) the legal basis for possible actions by reference to national law and the corresponding provisions of the Union acts in the Annex to this Regulation;	GREEN (e) the legal basis for possible actions by reference to national law and the corresponding provisions of the Union acts <i>listed</i> in the Annex to this Regulation;
441	Article 34 - paragraph 3 - point f	(f) the nature of legal proceedings, enforcement measures or other measures taken concerning the infringement and their dates and duration;	(f) the nature <i>and status</i> of legal proceedings, enforcement measures or other measures taken concerning the infringement and their dates and duration;	(f) the nature description and status of legal proceedings, enforcement measures or other measures taken concerning the infringement and their dates and duration;	GREEN (f) the nature <i>description and status</i> of legal proceedings, enforcement measures or other measures taken concerning the infringement and their dates and duration;
442	Article 34 - paragraph 3 - point g	(g) the status of legal proceedings, enforcement measure or other measures taken concerning the infringement;	deleted	deleted	GREEN deleted

443	Article 34 - paragraph 3 - point h	(h) the competent authority conducting legal proceedings and other measures;	(h) the competent authority conducting legal proceedings and other measures;	(h) the competent authority authorities conducting legal proceedings and other measures;	GREEN (h) the competent authority authorities conducting legal proceedings and other measures;
444	Article 34 - paragraph 3 - point i	(i) whether the alert is ‘for information’ or ‘for action’.	deleted	deleted	GREEN deleted
445	Article 34 - paragraph 4	4. In an alert ‘for action’, the competent authority or the Commission may ask other competent authorities and the Commission to verify whether similar suspected infringements may be taking place in the territory of other Member States or whether any enforcement measures have already been taken against such infringements in other Member States.	4. In an alert ‘ for action ’, the competent authority or the Commission may shall ask other competent authorities of other Member States and, where appropriate , the Commission to verify whether similar suspected infringements may be are taking place in the territory of other Member States or whether any enforcement measures have already been taken against such infringements in other Member States. Those competent authorities of other Member States and the Commission shall reply to the request without delay.	4. In an alert ‘ for action ’, the competent authority or the Commission may ask other competent authorities and single liaison offices concerned in other Member States and the Commission to verify whether, based on information available or easily accessible to the competent authorities concerned or the Commission , similar suspected intra-Union or widespread infringements may be are taking place in the territory of other Member States or whether any enforcement measures have already been taken against such infringements in other Member States. Those competent authorities and the Commission shall reply to the request without delay.	GREEN 4. In an alert ‘ for action ’, the competent authority or the Commission may ask other competent authorities and single liaison offices concerned in other Member States and the Commission to verify whether, based on information available or easily accessible to the competent authorities concerned or the Commission , similar suspected infringements may be are taking place in the territory of other Member States or whether any enforcement measures have already been taken against such infringements in other Member States. Those competent authorities of other Member States and the Commission shall reply to the request without delay.
446	Article 34 - paragraph 5	5. To address the suspected infringements effectively, the competent authorities concerned	deleted	deleted	GREEN deleted

		shall, depending on the replies to the alert, take the necessary measures set out in Chapters III and IV.			
447	Article 34 - paragraph 6	6. The Commission shall adopt implementing acts setting out the details of the functioning of the alert mechanism, including in particular standard forms for alerts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	6. The Commission shall adopt implementing acts setting out the details of the functioning of the alert mechanism, including in particular standard forms for alerts laying down standard forms for submitting an alert via the database referred to in Article 43. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). [Am. 102]	deleted	GREEN deleted <i>Note: Covered by general empowerment in database article</i>
448	Article 35	<i>Article 35</i>	<i>Article 35</i>	<i>Article 35</i>	GREEN
449	Article 35 - title	Participation of other entities in the alert mechanism	Participation of other entities in the alert mechanism	Participation of other entities in the alert mechanism External alerts	GREEN External alerts
450	Article 35 - paragraph 1	1. Designated bodies and European Consumer Centres shall participate in the alert mechanism set out in Article 34. Member States shall designate consumer organisations and associations, and other entities such as trader associations, with the appropriate expertise and legitimate interest in consumer protection that shall	1. Designated bodies, and European Consumer Centres shall participate in the alert mechanism set out in Article 34. Member States shall designate, consumer organisations and associations; and other entities such as with having the appropriate expertise and legitimate interest in consumer	1. Member States may entitle designated bodies, and European Consumer Centres, shall participate in the alert mechanism set out in Article 34. Member States shall designate consumer organisations and associations; and other entities such as and, where appropriate, trader associations, with the appropriate	GREEN <u>1. Member States shall, unless otherwise justified, entitle</u> designated bodies, and European Consumer Centres, shall participate in the alert mechanism set out in Article 34. Member States shall designate consumer organisations and associations; and other entities such as and,

		participate in the alert mechanism. Member States shall notify the Commission of those entities without delay.	protection that shall participate in the alert mechanism. Member States shall notify the Commission of those entities without delay <i>be entitled to notify competent authorities of the Member States concerned and the Commission of suspected infringements and provide the information set out in Article 34(3) using the standard form for external notifications via the database referred to in Article 43 ('external alert')</i> .	expertise and legitimate interest in consumer protection that shall participate in the alert mechanism <u>to notify the competent authorities of the Member States concerned and the Commission of suspected intra-Union infringements or widespread infringements and to provide information available to them set out in paragraph 3 of Article 34 ('external alert')</u> . Member States shall notify the Commission <u>the list</u> of those entities <u>and any changes of it</u> without delay.	<i>where appropriate</i> , trader associations, with the appropriate <u>necessary</u> expertise and legitimate interest in consumer protection that shall participate in the alert mechanism <u>to notify the competent authorities of the Member States concerned and the Commission of suspected intra-Union infringements or widespread infringements and to provide information available to them set out in paragraph 3 of Article 34 ('external alert')</u> . Member States shall notify the Commission <u>the list</u> of those entities <u>and any changes of it</u> without delay. <i>Note: see as well recital (34a) new</i>
451	Article 35 - paragraph 1 - subparagraph 1a (new)		<i>The Commission shall adopt implementing acts laying down standard forms for submitting an external alert via the database referred to in Article 43. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).</i>		GREEN <i>Note: covered by the empowerment in the article on database</i>
452	Article 35 - paragraph 2	2. The Commission may designate other entities representing consumer and business interests at	2. The Commission may designate <i>shall entitle</i> other entities representing consumer and	2. The Commission, <u>following a consultation with Member States</u> , may designate <u>entitle</u> other	GREEN 2. The Commission, <u>following a consultation with Member States</u> ,

		a Union level that shall participate in the alert mechanism.	business interests at a Union level that shall participate in the <i>to make an external</i> alert mechanism.	entities-associations representing consumer and, <u>where appropriate</u> , business interests at a Union level <u>to make an external alert</u> that shall participate in the alert mechanism.	may designate shall entitle other entities-associations representing consumer and, <i>where appropriate</i> , business interests at a Union level <u>to make an external alert</u> that shall participate in the alert mechanism.
453	Article 35 - paragraph 3	3. The entities described in paragraphs 1 and 2 shall be entitled to notify the competent authorities of the Member States concerned and the Commission of suspected infringements and provide the information set out in Article 34(3), using the standard form for external notifications provided by the database referred to in Article 43 ('external alert').	deleted	deleted	GREEN deleted
454	Article 35 - paragraph 4	4. The external alerts shall only be 'for information'. The competent authorities shall not be bound to initiate a procedure or take any other action in response to the alerts and information provided by those entities. Entities making external alerts shall ensure that the information provided is correct, up to date and accurate and shall correct the information posted without delay or withdraw it as appropriate. For that purpose, they shall have access to the information they have provided,	4. The external alerts shall only be 'for information'. The competent authorities shall not be bound to initiate a procedure or take any other action in response to the external alerts and information provided by those entities. Entities making external alerts shall ensure that the information provided is correct, up to date and accurate, and shall correct any errors in the information posted without delay or withdraw it as appropriate. For that purpose, they shall have	4. The external alerts shall only be 'for information'. The competent authorities shall not be bound to initiate a procedure or take any other action in response to an external alert the alerts and information provided by those entities. Entities making external alerts shall ensure that the information provided is correct, up to date and accurate and shall correct the information posted without delay or withdraw it as appropriate. For that purpose, they shall have access to the	GREEN 4. The external alerts shall only be 'for information'. The competent authorities shall not be bound to initiate a procedure or take any other action in response to an external alert the alerts and information provided by those entities. Entities making external alerts shall ensure that the information provided is correct, up to date and accurate and shall correct the information posted without delay or withdraw it as appropriate. For that purpose, they

		subject to the limitations referred to in Articles 41 and 43.	access to the information they have provided, subject to the limitations referred to in Articles 41 and 43. <i>Those entities shall also be notified of any follow-up actions taken by the competent authority concerned in relation to external alerts, or, upon request, of the lack of any action.</i>	information they have provided, subject to the limitations referred to in Articles 41 and 43.	shall have access to the information they have provided, subject to the limitations referred to in Articles 41 and 43.
455	Article 35 - paragraph 5	5. The Commission may adopt implementing acts setting out the details of the designation and participation of other entities in the alert mechanism. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 103]	deleted	GREEN deleted
456	Article 36	<i>Article 36</i>	<i>Article 36</i>	deleted	
457	Article 36 - title	Exchange of other information relevant for the detection of infringements	Exchange of other information relevant for the detection of infringements	deleted	GREEN Exchange of other information relevant for the detection of infringements
458	Article 36 - paragraph 1 - introductory part	1. Via the database referred to in Article 43, the competent authorities shall without delay notify the Commission and other competent authorities of any measure that they have taken to address an infringement of the laws which protect consumers'	1. Via the database referred to in Article 43, the competent authorities shall without delay notify the Commission and other competent authorities of <i>other Member States without delay of any measure that they have taken by them</i> to address an	deleted	GREEN <i><u>To the extent necessary to achieve the objectives of this Regulation, the competent authorities shall, via the database referred to in Article 43, without delay notify the Commission and other competent authorities of <u>Member States</u></u></i>

		interests on their territory if they suspect that the infringement may affect consumers' interests in other Member States, in particular:	infringement of the <i>Union</i> laws which that protect consumers' interests on their territory if they suspect that the infringement <i>in question</i> may affect consumers' interests in other Member States; in particular . [Am. 104]		<i>concerned without delay of</i> any measure that they have taken by them to address an infringement of the <i>Union</i> laws which that protect consumers' interests on their territory <i>within their jurisdiction</i> if they suspect that the infringement <i>in question</i> may affect consumers' interests in other Member States, in particular .
459	Article 36 - paragraph 1 - point a	(a) any notice, order, decision or similar measure of a competent authority or another authority relating to the opening of national proceedings concerning an infringement or suspected infringement;	deleted [Am. 105]	deleted	GREEN deleted
460	Article 36 - paragraph 1 - point b	(b) any decision of a court or other judicial authority, judicial order, injunction or other similar measure that concerns an infringement or suspected infringement;	deleted [Am. 106]	deleted	GREEN deleted
461	Article 36 - paragraph 1 - point c	(c) any other information, decision, order or act of other national authorities or designated bodies, as appropriate, that may concern an infringement or suspected infringement.	deleted [Am. 107]	deleted	GREEN deleted

462	Article 36 - paragraph 2	2. The Commission may adopt implementing acts setting out the details of the exchange of other information relevant for the detection of infringements under this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 108]	deleted	GREEN deleted
463	Article 36a (new)			<i>Article 36a (new)</i>	<i>Article 36a (new)</i>
464	Article 36a (new) - title		<i>(Note: see EP text on Article 32)</i>	<u>Concerted investigations of consumer markets</u>	GREEN Sweeps <i>Note: Replaced by the notion "sweeps", definition in row 104 endorsed</i>
465	Article 36a (new) - paragraph 1			<u>1. The competent authorities may decide to conduct a concerted investigation of consumer markets ("sweep") to check compliance with Union laws that protect consumers interests and/or detect infringements. Unless otherwise agreed upon by the competent authorities involved, sweeps shall be coordinated by the Commission.</u>	GREEN <u>1. The competent authorities may decide to conduct a sweep to check compliance with Union laws that protect consumers' interests and/or detect infringements. Unless otherwise agreed upon by the competent authorities involved, sweeps shall be coordinated by the Commission.</u> + see recital 21a

466	Article 36a (new) - paragraph 2			<u>2. When conducting sweeps, the competent authorities involved may make effective use of investigation powers set out in Article 8 and other powers conferred upon them by national law.</u>	GREEN <u>2. When conducting sweeps, the competent authorities involved may make effective use of investigation powers set out in Article 8 and other powers conferred upon them by national law.</u>
467	Article 36a (new) - paragraph 3			<u>3. The competent authorities may invite designated bodies, Commission officials and other accompanying persons authorised by the Commission to participate in sweeps.</u>	GREEN <u>3. The competent authorities may invite designated bodies, Commission officials and other accompanying persons authorised by the Commission to participate in sweeps.</u>
468	CHAPTER VI	CHAPTER VI	CHAPTER VI	deleted	deleted
469	CHAPTER VI - title	OTHER UNION-WIDE ACTIVITIES	OTHER UNION-WIDE ACTIVITIES	deleted	deleted
470	Article 37	Article 37	Article 37	Article 37	Article 37
471	Article 37 - title	Coordination of other activities contributing to surveillance and enforcement	Coordination of other activities contributing to surveillance and enforcement	Coordination of other activities contributing to surveillance <u>investigation</u> and enforcement	GREEN Coordination of other activities contributing to surveillance <u>investigation</u> and enforcement
472	Article 37 - paragraph 1 - introductory part	1. Member States shall inform each other and the Commission of their activities in the following areas:	1. Member States shall inform each other and the Commission of their activities in the following areas:	1. <u>To the extent necessary to achieve the objective of this Regulation</u> , Member States shall <u>may</u> inform each other and the Commission of their activities in the following areas:	GREEN 1. <u>To the extent necessary to achieve the objective of this Regulation</u> , Member States shall inform each other and the

					Commission of their activities in the following areas:
473	Article 37 - paragraph 1 - point a	(a) the training of their officials involved in enforcing consumer protection, including language training, and the organisation of training seminars;	(a) the <i>development of personnel resources of the competent authorities responsible for the application of this Regulation, including relevant</i> training of their officials involved in enforcing consumer protection, including language training, and the organisation of training seminars;	(a) the training of their officials involved in enforcing consumer protection, including language training, and the organisation of training seminars <u>the application of this Regulation;</u>	GREEN (a) the training of their officials involved in enforcing consumer protection, including language training, and the organisation of training seminars <i>the application of this Regulation;</i>
474	Article 37 - paragraph 1 - point b	(b) the collection, classification and exchange of data on consumer complaints;	(b) the collection, classification and exchange of data on consumer complaints;	(b) the collection, classification and exchange of data on consumer complaints;	GREEN (b) the collection, classification and exchange of data on consumer complaints;
475	Article 37 - paragraph 1 - point ba (new)			<u>(ba) best practices in investigation and enforcement techniques;</u>	
476	Article 37 - paragraph 1 - point c	(c) the development of sector-specific networks of competent officials;	(c) the development of sector-specific networks of competent officials;	(c) the development of sector-specific networks of competent officials;	GREEN (c) the development of sector-specific networks of competent officials;
477	Article 37 - paragraph 1 - point d	(d) the development of information and communication tools;	(d) the development of information and communication tools;	(d) the development of information and communication tools;	GREEN (d) the development of information and communication tools;

478	Article 37 - paragraph 1 - point e	(e) the development of standards, methodologies and guidelines for officials involved in enforcing consumer protection;	(e) the development of standards, methodologies and guidelines for officials involved in enforcing consumer protection; concerning the application of this Regulation.	deleted	GREEN (e) <u>Where applicable</u> , the development of standards, methodologies and guidelines for officials involved in enforcing consumer protection; concerning the application of this Regulation.
479	Article 37 - paragraph 1 - point f	(f) the exchange of their officials, including the ability to carry out activities under Chapters III and IV.	deleted	deleted	GREEN deleted
480	Article 37 - paragraph 2	2. Member States shall coordinate and jointly organise the activities set out in paragraph 1.	2. Member States shall may coordinate and jointly organise the activities set out referred to in paragraph 1.	2. <u>To the extent necessary to achieve the objective of this Regulation</u> , Member States shall may coordinate and jointly organise the activities in the areas set out in paragraph 1.	GREEN 2. <u>To the extent necessary to achieve the objective of this Regulation</u> , Member States shall may coordinate and jointly organise the activities in the areas set out in paragraph 1.
481	Article 37 - paragraph 3	3. The Commission and the Member States shall regularly share information and data concerning consumer complaints. For that purpose, the Commission shall develop and maintain a harmonised methodology for classifying and reporting consumer complaints in cooperation with Member States.	deleted	deleted	GREEN deleted

482	Article 37 - paragraph 4	4. The Commission may adopt implementing acts necessary to develop the framework for cooperation under paragraphs 1 and 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 109]	deleted	GREEN deleted
483	Article 38	<i>Article 38</i>	<i>Article 38</i>	<i>Article 38</i>	<i>Article 38</i>
484	Article 38 - title	Exchange of officials between competent authorities	Exchange of officials between competent authorities	Exchange of officials between competent authorities	GREEN Exchange of officials between competent authorities
485	Article 38 - paragraph 1	1. The competent authorities may participate in exchange schemes of competent officials from other Member States in order to improve cooperation. The competent authorities shall take the necessary measures to enable competent officials from other Member States to play an effective role in the activities of the competent authority. To that end, those officials shall be authorised to carry out the duties entrusted to them by the host competent authority in accordance with the laws of its Member State.	1. The competent authorities may participate in exchange schemes of competent officials from other Member States in order to improve cooperation. The competent authorities shall take the necessary measures to enable competent officials from other Member States to play an effective role in the activities of the competent authority. To that end, those officials shall be authorised to carry out the duties entrusted to them by the host competent authority in accordance with the laws of its Member State.	1. The competent authorities may participate in exchange schemes of competent officials from other Member States in order to improve cooperation. The competent authorities shall take the necessary measures to enable competent officials from other Member States to play an effective role in the activities of the competent authority. To that end, those officials shall be authorised to carry out the duties entrusted to them by the host competent authority in accordance with the laws of its Member State.	GREEN 1. The competent authorities may participate in exchange schemes of competent officials from other Member States in order to improve cooperation. The competent authorities shall take the necessary measures to enable competent officials from other Member States to play an effective role in the activities of the competent authority. To that end, those officials shall be authorised to carry out the duties entrusted to them by the host competent authority in accordance with the laws of its Member State.
486	Article 38 - paragraph 2	2. During the exchange, the civil and criminal liability of the	2. During the exchange, the civil and criminal liability of the	2. During the exchange, the civil and criminal liability of the	GREEN

		competent official shall be treated in the same way as that of the officials of the host competent authority. The competent officials from other Member States shall observe professional standards and shall be subject to the appropriate internal rules of conduct of the host competent authority. Those rules of conduct shall ensure in particular the protection of individuals with regard to the processing of personal data, procedural fairness and the proper observance of the rules on confidentiality and professional and commercial secrecy pursuant to Article 41.	competent official shall be treated in the same way as that of the officials of the host competent authority. The competent officials from other Member States shall observe professional standards and shall be subject to the appropriate internal rules of conduct of the host competent authority. Those rules of conduct shall ensure in particular the protection of individuals with regard to the processing of personal data, procedural fairness and the proper observance of the rules on confidentiality and professional and commercial secrecy pursuant to Article 41.	competent official shall be treated in the same way as that of the officials of the host competent authority. The competent officials from other Member States shall observe professional standards and shall be subject to the appropriate internal rules of conduct of the host competent authority. Those rules of conduct shall ensure in particular the protection of individuals with regard to the processing of personal data, procedural fairness and the proper observance of the rules on confidentiality and professional and commercial secrecy pursuant to Article 41.	2. During the exchange, the civil and criminal liability of the competent official shall be treated in the same way as that of the officials of the host competent authority. The competent officials from other Member States shall observe professional standards and shall be subject to the appropriate internal rules of conduct of the host competent authority. Those rules of conduct shall ensure in particular the protection of individuals with regard to the processing of personal data, procedural fairness and the proper observance of the rules on confidentiality and professional and commercial secrecy pursuant to Article 41.
487	Article 39	<i>Article 39</i>	<i>Article 39</i>	deleted	GREEN <i>Note: see additional language in recital 25a new, replacing Article 39</i>
488	Article 39 - title	Exchange of consumer policy information	Exchange of consumer policy information	deleted	GREEN deleted
489	Article 39 - paragraph 1 - introductory part	1. Member States shall inform each other and the Commission of their activities in protecting consumers' interests such as:	1. Member States shall inform each other and the Commission of their activities in protecting consumers' interests such as:	deleted	GREEN deleted

490	Article 39 - paragraph 1 - point a	(a) consumer information and advice;	(a) consumer information and advice;	deleted	GREEN deleted
491	Article 39 - paragraph 1 - point b	(b) support for the activities of consumer representatives;	(b) support for the activities of consumer representatives;	deleted	GREEN deleted
492	Article 39 - paragraph 1 - point c	(c) support for the activities of bodies responsible for the extra-judicial settlement of consumer disputes;	(c) support for the activities of bodies responsible for the extra-judicial settlement of consumer disputes;	deleted	GREEN deleted
493	Article 39 - paragraph 1 - point d	(d) support for consumers' access to justice;	(d) support for consumers' access to justice;	deleted	GREEN deleted
494	Article 39 - paragraph 1 - point e	(e) the collection of statistics, the results of research or other information relating to consumer behaviour and attitudes.	(e) the collection of statistics, the results of research or other information relating to consumer behaviour and attitudes.	deleted	GREEN deleted
495	Article 39 - paragraph 2	2. Member States may, in cooperation with the Commission, carry out common activities in the areas set out in paragraph 1. The Member States shall, in cooperation with the Commission, develop a common framework for the activities set out to in point (e) of paragraph 1.	2. Member States may, in cooperation with the Commission, carry out common activities in the areas set out <i>referred to</i> in paragraph 1. The Member States shall <i>They may</i> , in cooperation with the Commission, develop a common framework for the activities set out <i>referred to</i> in point (e) of paragraph 1. [Am. 110]	deleted	GREEN deleted
496	Article 39 - paragraph 3	3. The Commission may adopt implementing acts necessary to develop the framework for exchange of information referred	deleted [Am. 111]	deleted	GREEN deleted

		to paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).			
497	Article 40	<i>Article 40</i>	<i>Article 40</i>	<i>Article 40</i>	<i>Article 40</i>
498	Article 40 - title	International cooperation	International cooperation	International cooperation	GREEN International cooperation
499	Article 40 - paragraph 1	1. The Union shall cooperate with third countries and with the competent international organisations in the areas covered by this Regulation in order to protect consumers' interests. The arrangements for cooperation, including the establishment of mutual assistance arrangements, the exchange of confidential information and exchange of staff programmes, may be subject to agreements between the Union and the third countries concerned.	1. The Union shall cooperate with third countries and with the competent international organisations in the areas covered by this Regulation in order to protect consumers' interests. The arrangements for cooperation, including the establishment of mutual assistance arrangements, the exchange of confidential information and exchange of staff programmes, may be subject to agreements between the Union and the third countries concerned.	1. <u>To the extent necessary to achieve the objective of this Regulation,</u> The <u>the</u> Union shall cooperate with third countries and with the competent international organisations in the areas covered by this Regulation in order to protect consumers' interests. The arrangements for cooperation, including the establishment of mutual assistance arrangements, the exchange of confidential information and exchange of staff programmes, may be subject to agreements between the Union and the third countries concerned.	GREEN 1. <u>To the extent necessary to achieve the objective of this Regulation,</u> The <u>the</u> Union shall cooperate with third countries and with the competent international organisations in the areas covered by this Regulation in order to protect consumers' interests. The arrangements for cooperation, including the establishment of mutual assistance arrangements, the exchange of confidential information and exchange of staff programmes, may be subject to agreements between the Union and the third countries concerned.
500	Article 40 - paragraph 2	2. Agreements concluded between the Union and third countries concerning cooperation and mutual assistance to protect and enhance consumers' interests shall be subject to the protection of	2. Agreements concluded between the Union and third countries concerning cooperation and mutual assistance to protect and enhance consumers' interests shall be subject to the protection of	2. Agreements concluded between the Union and third countries concerning cooperation and mutual assistance to protect and enhance consumers' interests shall be subject to the protection of	GREEN 2. Agreements concluded between the Union and third countries concerning cooperation and mutual assistance to protect and enhance consumers' interests shall

		confidential information and personal data equivalent to the rules set out in Article 41.	confidential information and personal data equivalent to the rules set out in Article 41.	confidential information and personal data equivalent to the rules set out in Article 41 <u>in accordance with the relevant data protection rules applicable to the transfer of personal data to third countries.</u>	be subject to the protection of confidential information and personal data equivalent to the rules set out in Article 41 <u>in accordance with the relevant data protection rules applicable to the transfer of personal data to third countries.</u>
501	Article 40 - paragraph 3	3. When a competent authority receives information from an authority of a third country, that competent authority shall communicate the information to the relevant competent authorities of other Member States insofar as it is permitted to do so by bilateral assistance agreements with the third country and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.	3. When a competent authority receives information from an authority of a third country, that competent authority shall communicate the information to the relevant competent authorities of other Member States insofar as it is permitted to do so by bilateral assistance agreements with the third country and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.	3. When a competent authority receives information from an authority of a third country <u>relevant to competent authorities of other Member States</u> , that competent authority it shall communicate the information to the <u>those</u> relevant competent authorities of other Member States insofar as it is permitted to do so by bilateral assistance agreements with the third country and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.	GREEN 3. When a competent authority receives information from an authority of a third country <u>relevant to competent authorities of other Member States</u> , that competent authority it shall communicate the information to the <u>those</u> relevant competent authorities of other Member States insofar as it is permitted to do so by bilateral assistance agreements with the third country and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.
502	Article 40 - paragraph 4	4. Information communicated under this Regulation may also be communicated to an authority of a third country by a competent authority under a bilateral assistance agreement with the third country, provided that the consent of the competent authority	4. Information communicated under this Regulation may also be communicated to an authority of a third country by a competent authority under a bilateral assistance agreement with the third country, provided that the consent of the competent authority	4. Information communicated under this Regulation may also be communicated to an authority of a third country by a competent authority under a bilateral assistance agreement with the third country, provided that the consent <u>approval</u> of the	GREEN 4. Information communicated under this Regulation may also be communicated to an authority of a third country by a competent authority under a bilateral assistance agreement with the third country, provided that the

		that originally communicated the information has been obtained and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.	that originally communicated the information has been obtained and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.	competent authority that originally communicated the information has been obtained and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.	consent approval of the competent authority that originally communicated the information has been obtained and in accordance with Union legislation regarding the protection of individuals with regard to the processing of personal data.
503	CHAPTER VII	CHAPTER VII	CHAPTER VII	CHAPTER VII	CHAPTER VII
504	CHAPTER VII - title	PROFESSIONAL SECRECY AND OTHER ARRANGEMENTS	PROFESSIONAL SECRECY AND OTHER ARRANGEMENTS	PROFESSIONAL SECRECY AND OTHER <u>COMMON</u> ARRANGEMENTS	PROFESSIONAL SECRECY AND OTHER <u>COMMON</u> ARRANGEMENTS
505	Article 41	<i>Article 41</i>	<i>Article 41</i>	<i>Article 41</i>	<i>Article 41</i>
506	Article 41 - title	Use of information and professional and commercial secrecy	Use of information and professional and commercial secrecy	Use of information and professional and commercial secrecy	GREEN Use of information and professional and commercial secrecy
507	Article 41 - paragraph 1	1. Information collected pursuant to Article 8 which is communicated to the competent authorities and the Commission shall only be used for the purposes of ensuring compliance with the laws that protect consumers' interests.	1. Information collected pursuant to Article 8 which is by or communicated to the competent authorities and the Commission shall only be used for the purposes purpose of ensuring compliance with the Union laws that protect consumers' interests. [Am. 112]	1. Information collected pursuant to Article 8 which is by or communicated to the competent authorities and the Commission by applying this Regulation shall only be used for the purposes of ensuring compliance with the Union laws that protect consumers' interests.	GREEN 1. Information collected pursuant to Article 8 which is by or communicated to the competent authorities and the Commission in the course of applying this Regulation shall only be used for the purposes of ensuring compliance with the Union laws that protect consumers' interests.

508	Article 41 - paragraph 2 - introductory part	2. Information communicated in any form to persons working for competent authorities, courts, other public authorities and the Commission, including information notified to the Commission and stored on the database referred to in Article 43, shall be confidential and shall be covered by the obligations of professional secrecy where its disclosure would undermine:	2. Information communicated in any form to persons working for competent authorities, courts, other public authorities and the Commission, including information notified to the Commission and stored on the database referred to in Article 43, shall be confidential and shall be covered by the obligations of professional secrecy where its disclosure would undermine:	2. Information collected or communicated pursuant to paragraph 1 shall be confidential, used and disclosed in accordance with Union legislation and with due regards to in any form to persons working for competent authorities, courts, other public authorities and the, including information notified to the Commission and stored on the database referred to in Article 43, shall be confidential and shall be covered by the obligations of professional secrecy where its disclosure would undermine:	GREEN 2. <i>The information referred to in communicated paragraph 1 shall be treated confidentially and shall only be used and disclosed with due regard to</i> in any form to persons working for competent authorities, courts, other public authorities and the, including information notified to the Commission and stored on the database referred to in Article 43, shall be confidential and shall be covered by the obligations of professional secrecy where its disclosure would undermine: the commercial interests of a natural or legal person, including <i>trade secrets and</i> intellectual property.
509	Article 41 - paragraph 2 - point a	(a) the protection of the privacy and the integrity of the individual, in particular in accordance with Union legislation regarding the protection of personal data,	(a) the protection of the privacy and the integrity of the individual, in particular in accordance with Union legislation regarding the protection of personal data,	deleted	GREEN deleted
510	Article 41 - paragraph 2 - point b	(b) the commercial interests of a natural or legal person, including intellectual property,	(b) the commercial interests of a natural or legal person, including intellectual property,	(b) the commercial interests of a natural or legal person, including trade secrets and intellectual property,	GREEN deleted

511	Article 41 - paragraph 2 - point c	(c) court proceedings and legal advice, or	(c) court proceedings and legal advice, or	deleted	GREEN deleted
512	Article 41 - paragraph 2 - point d	(d) the purpose of inspections or investigations.	(d) the purpose of inspections or investigations.	deleted	GREEN deleted
513	Article 41 - paragraph 3 - introductory part	3. Notwithstanding paragraph 2, the competent authorities may use and disclose the information necessary:	3. Notwithstanding paragraph 2 <i>and provided that fundamental rights, such as the right to privacy and to protection of personal data, as well as Union law on protection and processing of personal data, are fully respected</i> , the competent authorities may use and disclose the information necessary: [Am. 113]	3. Notwithstanding Without prejudice to paragraph 2-1, the competent authorities <u>upon prior consultation from the competent authority which provided the information</u> may use and disclose the information necessary:	GREEN 3. <u>Without prejudice to</u> Notwithstanding paragraph 2, the competent authorities may use and disclose the information necessary: 2-1, the competent authorities <u>upon prior consultation from the competent authority which provided the information</u> may use and disclose the information necessary: See also new recital 10a
514	Article 41 - paragraph 3 - point a	(a) to prove intra-Union infringements or widespread infringements;	(a) to prove intra-Union infringements or widespread infringements;	(a) to prove intra-Union infringements or widespread infringements;	GREEN (a) to prove intra-Union infringements, <u>widespread infringements</u> or widespread infringements <u>with a Union dimension</u> ;
515	Article 41 - paragraph 3 - point b	(b) to bring about the cessation or prohibition of intra-Union	(b) to bring about the cessation or prohibition of intra-Union	(b) to bring about the cessation or prohibition of intra-Union	GREEN (b) to bring about the cessation or prohibition of intra-Union

		infringements or widespread infringements.	infringements or widespread infringements.	infringements or widespread infringements.	infringements, <u>widespread infringements</u> or widespread infringements <u>with a Union dimension</u> .
516	Article 41 - paragraph 3 - point ba (new)		<i>(ba) for matters of public interest, such as public safety, consumer protection, public health and environmental protection.</i> [Am. 114]		GREEN <i>Note: EP Am 114 covered in recital 10a</i>
517	Article 42	<i>Article 42</i>	<i>Article 42</i>	<i>Article 42</i>	<i>Article 42</i>
518	Article 42 - title	Use of evidence and investigation findings	Use of evidence and investigation findings	Use of evidence and investigation findings	Use of evidence and investigation findings
519	Article 42 - paragraph 1	1. Competent authorities may use any information, documents, findings, statements, certified true copies or intelligence communicated as evidence, irrespective of their format and medium on which they are stored.	1. Competent authorities may use any information, documents, findings, statements, certified true copies or intelligence communicated as evidence, irrespective of their format and medium on which they are stored.	1. Competent authorities may use, <u>for proceedings initiated in application of this Regulation as evidence</u> , any information, documents, findings, statements, certified true copies or intelligence <u>made by a competent authority in another Member State in accordance with Articles 8 and 9 and communicated as evidence in accordance with this Regulation</u> , irrespective of their format and medium on which they are stored, <u>on the same basis as similar evidence obtained in their own Member State to the extent that this is in accordance with the</u>	GREEN Competent authorities may use <u>invoke as evidence</u> any information, documents, findings, statements, certified true copies or intelligence communicated, <u>on the same basis as similar documents obtained in their own country</u> , irrespective of the-medium on which they are stored.

				<u>national procedural law of the Member State in which the proceedings are initiated.</u>	
520	Article 42 - paragraph 2	2. Evidence, documents, information, explanations and investigation findings made by a competent authority in one Member State in accordance with Article 8 may be used for proceedings initiated in application of this Regulation by competent authorities in other Member States without further formal requirements.	2. <i>Member States shall ensure that</i> evidence, documents, information, explanations and investigation findings made by a competent authority in one Member State in accordance with Article 8 may be used for proceedings initiated in application of this Regulation by competent authorities in other Member States without further formal requirements. [Am. 115]	deleted	GREEN deleted
521	Article 43	<i>Article 43</i>	<i>Article 43</i>	<i>Article 43</i>	<i>Article 43</i>
522	Article 43 - title	Database and system for exchange of information on infringements	Database and system for exchange of information on infringements	Electronic database and system for exchange of information on infringements	GREEN <i>Electronic database and system for exchange of information on infringements</i>
523	Article 43 - paragraph 1	1. The Commission shall establish and maintain the necessary electronic database in which it shall store and process the information received to support mutual assistance requests pursuant to Chapter III, measures pursuant to Chapter IV and the surveillance mechanism pursuant to Chapter V. The database shall be made available for consultation	1. The Commission shall establish and maintain the necessary electronic database in which it shall store and process the information received to support mutual assistance requests pursuant to Chapter III, measures pursuant to Chapter IV and the surveillance mechanism pursuant to Chapter V. <i>for all communications between</i>	1. The Commission shall establish and maintain the necessary electronic database <u>for all competent authorities, single liaison offices and the Commission under this Regulation</u> in which it shall store and process the information received to support mutual assistance requests pursuant to	GREEN 1. The Commission shall establish and maintain the necessary electronic database <u><i>for all competent authorities, single liaison offices and the Commission under this Regulation</i></u> in which it shall store and process the information received to support mutual

		<p>to the competent authorities and the Commission.</p>	<p><i>competent authorities, single liaison offices and the Commission under this Regulation. That</i> database shall be made available for consultation to <i>directly accessible for</i> the competent authorities, <i>single liaison offices</i> and the Commission. [Am. 116]</p>	<p>Chapter III, measures pursuant to Chapter IV and the surveillance mechanism pursuant to Chapter V. The database shall be made available for consultation to the competent authorities and the Commission. <u>Every information sent by the means of the electronic database shall be stored and processed in the electronic database</u> the information received to support mutual assistance requests pursuant to Chapter III, measures pursuant to Chapter IV and the surveillance mechanism pursuant to Chapter V. The database shall be made available for consultation to the competent authorities and the Commission.</p>	<p>assistance requests pursuant to Chapter III, measures pursuant to Chapter IV and the surveillance mechanism pursuant to Chapter V. The database shall be made available for consultation to the competent authorities and the Commission. <u>Every information sent by the means of the electronic database shall be stored and processed in the electronic database</u> the information received to support mutual assistance requests pursuant to Chapter III, measures pursuant to Chapter IV and the surveillance mechanism pursuant to Chapter V. <i>That</i> database shall be made available for consultation to <i>directly accessible for</i> the competent authorities, <i>single liaison offices</i> and the Commission.</p>
<p>524</p>	<p>Article 43 - paragraph 2</p>	<p>2. Information provided by other authorities, entities and designated bodies shall be stored and processed in the electronic database but those authorities, entities and designated bodies shall not have access to this database.</p>	<p>2. Information provided by other <i>public</i> authorities, entities <i>referred to in Article 35</i> and designated bodies shall be stored and processed in the electronic database but those authorities, entities and designated bodies shall not have access to this <i>that</i> database. [Am. 117]</p>	<p>2. Information provided by other authorities, entities <u>entitled to make an external alert pursuant to paragraph 1 and 2 of Article 35</u> and designated bodies shall be stored and processed in the electronic database but those authorities, entities and designated bodies shall not have access to this database.</p>	<p>GREEN 2. Information provided by other authorities, entities <u>entitled to make an external alert pursuant to paragraph 1 and 2 of Article 35</u> and designated bodies shall be stored and processed in the electronic database but those authorities, entities and designated bodies shall not have access to this database.</p>

525	Article 43 - paragraph 2a (new)		<i>2a. Where a competent authority, a designated body or an entity referred to in Article 35 establishes that a notification of an infringement given by it pursuant to Articles 34 and 35 has subsequently been shown to be unfounded, it shall withdraw that notification. The Commission shall without delay remove the relevant information from the database, and shall inform the parties of the reasons for that removal. [Am. 118]</i>		GREEN <u><i>2a. Where a competent authority, a designated body or an entity referred to in Article 35 establishes that a notification of an infringement given by it pursuant to Articles 34 and 35 has subsequently been shown to be unfounded, it shall withdraw that notification. The Commission shall without delay remove the relevant information from the database, and shall inform the parties of the reasons for that removal.</i></u>
526	Article 43 - paragraph 3 - introductory part	3. The stored data relating to an infringement shall be deleted five years after the infringement has ceased. The period of five years shall start from the date on which:	3. The stored data relating to an infringement shall be deleted five years after the infringement has ceased. The period of five years shall start from the date on which:	3. The stored data relating to an infringement shall be deleted five years after the infringement has ceased <u>stored in the database for no longer than it is necessary for the purposes for which it was collected and processed but for no longer than five years following the day.</u> The period of five years shall start from the date on which:	GREEN The stored data relating to an infringement shall be deleted five years after the infringement has ceased <u>stored in the database for no longer than it is necessary for the purposes for which it was collected and processed but for no longer than five years following the day.</u> The period of five years shall start from the date on which:
527	Article 43 - paragraph 3 - point a	(a) a requested authority notifies the Commission pursuant to Article 12(3) that an intra- Union infringement has ceased;	(a) a <i>competent</i> requested authority notifies the Commission pursuant to Article 12(3) that an intra- Union infringement has ceased; [Am. 119]	deleted	GREEN (a) a requested authority notifies the Commission pursuant to Article 12(3) that an intra- Union infringement has ceased;

528	Article 43 - paragraph 3 - point b	(b) the coordinating authority notifies the Commission pursuant to Article 19 that the widespread infringement has ceased or has been prohibited;	(b) the coordinating authority coordinator notifies the Commission pursuant to Article 19 that the widespread infringement has ceased or has been prohibited coordinated action is closed ; [Am. 120]	(b) the coordinating authority coordinator notifies the Commission pursuant to Article 19 (1) the closure of the coordinated action that the widespread infringement has ceased or has been prohibited;	GREEN (b) the coordinating authority coordinator notifies the Commission pursuant to Article 19 (1) the closure of the coordinated action that the widespread infringement has ceased or has been prohibited;
529	Article 43 - paragraph 3 - point c	(c) the Commission decides pursuant to Article 26 that the common action concerning a widespread infringement with a Union dimension is closed but traders' commitments shall be stored for 10 years to ensure compliance with the laws that protect consumers' interests;	(c) the Commission, <i>as coordinator</i> , decides pursuant to Article 26 19 that the common coordinated action concerning a widespread infringement with a Union dimension is closed but <i>that</i> traders' commitments shall are to be stored for 10 five years to ensure compliance with the Union laws that protect consumers' interests; [Am. 121]	deleted	GREEN deleted
530	Article 43 - paragraph 3 - point d	(d) the information has been entered in the database in all other cases.	(d) the information has been entered in the database in all other cases.	(d) the information has been entered in the database in all other cases.	GREEN (d) the information has been entered in the database in all other cases.
531	Article 43 - paragraph 4	4. The Commission shall adopt implementing acts necessary to implement the database. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	4. The Commission shall adopt implementing acts necessary to implement the database laying down standard electronic forms and templates available in the database for the discussion forum through which all requests and	4. The Commission shall adopt implementing acts necessary to implement the database. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	GREEN 4. The Commission shall adopt implementing acts laying down the practical and operational arrangements for the functioning of the database . Those implementing acts shall be

			<i>replies as well as other documents are to be exchanged.</i> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). [Am. 122]		adopted in accordance with the examination procedure referred to in Article 48(2).
532	Article 44	Article 44	Article 44	Article 44	Article 44
533	Article 44 - title	Waiver of reimbursement of expenses	Waiver of reimbursement of expenses	Waiver of reimbursement of expenses	GREEN Waiver of reimbursement of expenses
534	Article 44 - paragraph 1	Member States shall waive all claims for the reimbursement of expenses incurred in applying this Regulation. However, the Member State of the applicant authority shall remain liable to the Member State of the requested authority for any costs and any losses incurred as a result of measures dismissed and held to be unfounded by a court as far as the substance of the infringement in question is concerned.	Member States shall waive all claims for the reimbursement of expenses incurred in applying this Regulation. However, the Member State of the applicant authority shall remain liable to the Member State of the requested authority for any costs and any losses incurred as a result of measures dismissed and held to be unfounded by a court as far as the substance of the infringement in question is concerned.	1. Member States shall waive all claims for the reimbursement of expenses incurred in applying this Regulation. However, the Member State of the applicant authority shall remain liable to the Member State of the requested authority for any costs and any losses incurred as a result of measures dismissed and held to be unfounded by a court as far as the substance of the infringement in question is concerned.	GREEN 1. Member States shall waive all claims for the reimbursement of expenses incurred in applying this Regulation. However, the Member State of the applicant authority shall remain liable to the Member State of the requested authority for any costs and any losses incurred as a result of measures dismissed and held to be unfounded by a court as far as the substance of the infringement in question is concerned.
535	Article 44 - paragraph 1a (new)			2. However, Notwithstanding paragraph 1, in case of acting upon request pursuant to Article 12, the Member State of the applicant authority shall remain liable to the Member State of the requested authority for any	GREEN 2. However, Notwithstanding paragraph 1, in case of acting upon request pursuant to Article 12, the Member State of the applicant authority shall remain liable to the Member State of the

				<u>costs and any losses incurred as a result of measures dismissed and held to be unfounded by a court as far as the substance of the infringement in question is concerned.</u>	<u>requested authority for any costs and any losses incurred as a result of measures dismissed and held to be unfounded by a court as far as the substance of the infringement in question is concerned.</u>
536	Article 45	Article 45	Article 45	Article 45	Article 45
537	Article 45 - title	National enforcement plans and prioritisation	National Enforcement plans and prioritisation [Am. 123]	National Enforcement plans and prioritisation	GREEN National Enforcement priorities plans and prioritisation
538	Article 45 - paragraph 1 - introductory part	1. Every two years from xx/xx/20xx [the date of entry into force of this Regulation], each Member State shall submit to the Commission biennial enforcement plans, using a dedicated online standard form provided by the Commission. The enforcement plans shall contain in particular:	1. Every two years from xx/xx/20xx By ... [the date of entry into force of this Regulation] and every two years thereafter , each Member State shall submit to the Commission biennial enforcement plans, using a dedicated online standard form provided by the Commission. Those enforcement plans shall contain in particular: [Am. 124]	1. Every two years from xx/xx/20xx [the date of entry into force of this Regulation], each Member States shall exchange among themselves and with the Commission information on submit to the Commission biennial enforcement plans priorities concerning the application of this Regulation , using a dedicated online standard form provided by the Commission. The enforcement priorities plans shall contain, to the extent they are available in particular:	GREEN 1. Every two years from xx/xx/20xx By ... [two years] after the date of entry into force of this Regulation] and every two years thereafter , each Member States shall submit to the Commission exchange information on their enforcement priorities for the application of this Regulation with one another and with biennial enforcement plans , using a dedicated online standard form provided the Commission. The enforcement plans shall contain in particular That information shall include:

539	Article 45 - paragraph 1 - point a	(a) information concerning market trends that may affect consumers' interests in their Member State, thus highlighting issues that may be likely to exist in other Member States;	(a) information concerning market trends that may affect consumers' interests in their Member State, thus highlighting issues that may be likely to exist in other Member States; [Am. 125]	(a) information concerning market trends that may affect consumers' interests in their Member State and , thus highlighting issues that may be likely to exist in other Member States;	GREEN (a) information concerning market trends that may <i>might</i> affect consumers' interests <i>in their the</i> Member State thus highlighting issues that may be likely to exist <i>concerned and</i> in other Member States;
540	Article 45 - paragraph 1 - point b	(b) where applicable, a summary of the implementation of the previous biennial enforcement plan, including overview of actions under this Regulation, consumer complaints and other complaints received, surveillance and enforcement activities and important court actions, judgments and other orders or measures and reasons why the previous biennial plan may not have been fully implemented;	deleted [Am. 126]	(b) where applicable, an summary of the implementation of the previous biennial enforcement plan, including overview of actions carried out under this Regulation, in the last two years, in particular , consumer complaints and other complaints received, surveillance investigation and enforcement activities and important court actions, judgments and other orders or measures and reasons why the previous biennial plan may not have been fully implemented;	GREEN (b) where applicable, a summary of the implementation of the previous biennial enforcement plan, including overview of actions under this Regulation, consumer complaints and other complaints received, <i>an overview of actions carried out under this Regulation, in the last two years, and in particular, surveillance investigation</i> and enforcement activities <i>measures related to the widespread infringements</i> and important court actions, judgments and other orders or measures and reasons why the previous biennial plan may not have been fully implemented;
541	Article 45 - paragraph 1 - point c	(c) information about the organisation, powers and responsibilities of the competent authorities as well as any changes or planned changes thereof;	deleted [Am. 127]	(c) summary information about the organisation, powers and responsibilities of the competent authorities for the application of this Regulation as well as any	GREEN (c) <i>statistics exchanged under the alert mechanism established pursuant to Article 34</i> information about the organisation, powers and

				changes or planned changes thereof;	responsibilities of the competent authorities as well as any changes or planned changes thereof;
542	Article 45 - paragraph 1 - point d	(d) the priority areas for the enforcement of the laws that protect consumers' interests for the next two years in the Member State;	(d) the priority areas for the enforcement of the <i>Union</i> laws that protect consumers' interests for the next two years in the Member State <i>concerned</i> ; [Am. 128]	(d) the <u>tentative</u> priority areas for the enforcement of the <u>Union</u> laws that protect consumers' interests for the next two years in the Member State;	GREEN (d) the <u>tentative</u> priority <u>areas for the enforcement of the Union</u> laws that protect consumers' interests for the next two years in the Member State <u>concerned</u> ; <u>and</u>
543	Article 45 - paragraph 1 - point e	(e) the proposed priority areas for enforcement of the laws that protect consumers' interests Union-wide;	(e) the proposed priority areas for enforcement of the laws that protect consumers' interests Union-wide;	(e) the proposed priority areas for enforcement of the <u>Union</u> laws that protect consumers' interests Union-wide <u>for the next two years</u> ;	GREEN (e) the proposed priority areas for the enforcement of the <u>Union</u> laws that protect consumers' interests Union-wide <u>for the next two years</u> .
544	Article 45 - paragraph 1 - point f	(f) an overview of resources available and committed for enforcement of the laws that protect consumers' interests in the Member State for the two years;	deleted [Am. 129]	deleted	GREEN deleted
545	Article 45 - paragraph 1 - point g	(g) a statement of resources committed to the implementation of this Regulation for the next two years.	Deleted [Am. 130]	deleted	GREEN deleted
546	Article 45 - paragraph 1a (new)		<i>1a. The Commission shall make publicly available a summary of the enforcement plans.</i> [Am. 131]		GREEN <i>1a. Without prejudice to Article 41, the Commission shall, every two years, produce an overview of the information referred to in</i>

					<i><u>points (a), (b) and (c) of paragraph 1 and shall make it publicly available. The Commission shall inform the European Parliament thereof.</u></i>
547	Article 45 - paragraph 2	2. In case of substantial change of circumstances or market conditions during the two years after the submission of the last enforcement plan, Member States may submit a revised enforcement plan.	2. In ease of <i>cases involving a</i> substantial change of circumstances or market conditions during the two years after the submission of the last enforcement plan , Member States may submit a revised <i>provide information concerning those changes where their scope goes beyond what is covered by the</i> enforcement plan. [Am. 132]	2. In case of substantial change of circumstances or market conditions during the two years after the submission of the last enforcement plan , Member States may <i>shall update their enforcement priorities</i> submit a revised enforcement plan.	GREEN 2. In cases involving <i>cases involving</i> of substantial change of circumstances or market conditions during the two years after the submission of the last enforcement plan <i>their</i> last enforcement plan <i>priorities</i> , Member States may <i>shall update their</i> submit a revised enforcement <i>priorities plan and shall inform other Member States and the Commission accordingly.</i>
548	Article 45 - paragraph 2a (new)			<i><u>2a. The Commission shall summarise the information provided in accordance with paragraph 1 and report annually to the Committee referred to in Article 48 to facilitate prioritisation of actions under this Regulation, exchange of best practices and benchmarking, especially in view of developing capacity building activities.</u></i>	GREEN <i><u>2a. The Commission shall summarise enforcement priorities submitted by the Member States in accordance with paragraph 1 and shall report annually to the Committee referred to in Article 48 in order to facilitate the prioritisation of actions under this Regulation and shall exchange best practices and benchmarking, in particular with a view of developing capacity building activities.</u></i>

549	Article 46	<i>Article 46</i>	deleted	deleted	GREEN
550	Article 46 - title	Monitoring and implementation of national enforcement plans	deleted	deleted	GREEN
551	Article 46 - paragraph 1	1. The Commission shall monitor the implementation of the national enforcement plans. The Commission may give advice concerning the implementation of national enforcement plans, establish benchmarks as regards resources necessary for the implementation of this Regulation and promote best practices.	deleted	deleted	GREEN
552	Article 46 - paragraph 2	2. The Commission shall adopt implementing acts necessary to develop the online standard forms and details of the national enforcement plans referred to in Article 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).	deleted [Am. 133]	deleted	GREEN
553	Article 47	<i>Article 47</i>	<i>Article 47</i>	<i>Article 47</i> deleted	<i>Article 47</i> GREEN deleted <i>See new text in recital 13</i>

554	Article 47 - title	Principles for imposing penalties for intra-Union and widespread infringements	Principles for imposing penalties penalties <i>sanctions</i> for intra-Union and widespread infringements and widespread infringements with a Union dimension [Am. 134]	deleted	GREEN deleted
555	Article 47 - paragraph 1	1. When imposing penalties in the context of intra-Union infringements and widespread infringements, the competent authorities shall take into account among others:	1. When imposing penalties <i>sanctions</i> in the context of intra-Union infringements, and widespread infringements <i>and widespread infringements with a Union dimension</i> , the competent authorities shall take into account among others <i>inter alia</i> : [Am. 135]	deleted	GREEN deleted
556	Article 47 - paragraph 1 - point a	(a) the territorial scope of the infringement;	(a) the territorial scope of the infringement;	deleted	GREEN deleted
557	Article 47 - paragraph 1 - point b	(b) the overall harm or likely harm caused to consumers in other Member States;	(b) the overall harm or likely harm caused to consumers in other Member States;	deleted	GREEN deleted
558	Article 47 - paragraph 1 - point c	(c) the repetition of the infringement in the same Member State or in the Union.	(c) the repetition of the infringement in the same Member State or in the Union.	deleted	GREEN deleted
559	Article 47 – paragraph 1a (new)		<i>1a. Those penalties shall be effective, proportionate and dissuasive. [Am. 136]</i>		GREEN <i>Note: agreement not to endorse</i>
560	Article 47 - paragraph 2	2. The Commission may issue recommendations on penalties for intra-Union infringements and	2. The Commission may issue recommendations on penalties for intra-Union infringements and	deleted	GREEN deleted

		widespread infringements and their coordination pursuant to Chapter IV.	widespread infringements and their coordination pursuant to Chapter IV.		
561	CHAPTER VIII	CHAPTER VIII	CHAPTER VIII	CHAPTER VIII	CHAPTER VIII
562	CHAPTER VIII - title	FINAL PROVISIONS	FINAL PROVISIONS	FINAL PROVISIONS	FINAL PROVISIONS
563	Article 48	<i>Article 48</i>	<i>Article 48</i>	<i>Article 48</i>	GREEN <i>Article 48</i>
564	Article 48 - title	Committee	Committee	Committee	GREEN Committee
565	Article 48 - paragraph 1	1. The Commission shall be assisted by a Committee. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Committee. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Committee. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	GREEN 1. The Commission shall be assisted by a Committee. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.
566	Article 48 - paragraph 2	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	GREEN 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
567	Article 49	<i>Article 49</i>	<i>Article 49</i>	<i>Article 49</i>	<i>Article 49</i>
568	Article 49 - title	Notifications	Notifications	Notifications	Notifications
569	Article 49 – paragraph 1	Member States shall communicate to the Commission without delay the text of any provisions of national law that they adopt, or of	Member States shall communicate to the Commission without delay the text of any provisions of national law that they adopt, <i>and</i>	Member States shall communicate to the Commission without delay the text of any provisions of national law that they adopt, or of	GREEN Member States shall communicate to the Commission without delay the text of any provisions of

		agreements other than to deal with individual cases that they conclude, on matters covered by this Regulation.	of of agreements, other than to deal agreements dealing with individual cases that they conclude, on matters covered by this Regulation. [Am. 137]	agreements other than to deal with individual cases that they conclude, on matters covered by this Regulation.	national law that they adopt, and of of agreements, other than to deal agreements dealing with individual cases that they conclude, on matters covered by this Regulation.
570	Article 50	<i>Article 50</i>	<i>Article 50</i>	<i>Article 50</i>	<i>Article 50</i> GREEN
571	Article 50 - title	Evaluation	Evaluation	Evaluation	GREEN Evaluation-Reporting
572	Article 50 – paragraph 1	By [xx/xx/20xx at the latest, no later than within seven years from its entry into application], the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.	By ... [xx/xx/20xx at the latest, no later than within seven years from its entry into application five years after the date of entry into force of this Regulation], the Commission shall present a report submit to the European Parliament and to the Council a report on the application of this Regulation. [Am. 138]	By [xx/xx/20xx at the latest, no later than within seven years from its entry into application], the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.	GREEN 1. By [xx/xx/20xx at the latest, no later than within seven years from its entry into application five years after the date of entry into force of this Regulation], the Commission shall present a report submit to the European Parliament and to the Council a report on the application of this Regulation.
573	Article 50 – paragraph 2 - subparagraph 1 - introductory part	The report shall contain an evaluation of the application of the Regulation including an assessment of the effectiveness of enforcement of the laws that protect consumers' interests under this Regulation and an	The report shall contain an evaluation of the application of the Regulation including an assessment of the effectiveness of enforcement of the Union laws that protect consumers' interests under this Regulation and an	The report shall contain an evaluation of the application of the Regulation including an assessment of the effectiveness of enforcement of the laws that protect consumers' interests under this Regulation and an	GREEN 2a. That report shall contain an evaluation of the application of the Regulation including an assessment of the effectiveness of enforcement of the Union laws that protect consumers' interests

		examination of, among others, how the compliance with the laws that protect consumers' interests by traders has evolved in key consumer markets concerned by cross-border trade.	examination of, among others <i>inter alia</i> , how the compliance with the <u>Union</u> laws that protect consumers' interests by traders has evolved in key consumer markets concerned by cross-border trade. <i>The Commission shall assess, in particular, the effectiveness of the following:</i>	examination of, among others, how the compliance with the laws that protect consumers' interests by traders has evolved in key consumer markets concerned by cross-border trade.	under this Regulation and , <u><i>in particular with regard to the powers provided under Article 8, along with, inter alia</i></u> , an examination of, among others , how the compliance by traders with the <u>Union</u> laws that protect consumers' interests by traders has evolved in key consumer markets concerned by cross-border trade.
574	Article 50 – paragraph 2 – point (a)		<i>(a) the powers provided under Article 8;</i>		GREEN
575	Article 50 – paragraph 2 – point (b)		<i>(b) the threshold set for widespread infringements with a Union dimension;</i>		GREEN
576	Article 50 – paragraph 2 – point (c)		<i>(c) the system of exchange of information on infringements as provided for by Article 43.</i>		GREEN
577	Article 50 – paragraph 2 - subparagraph 2		<i>That report shall be accompanied, where necessary, by legislative proposals.</i> [Am. 139]		GREEN
578	Article 50 – paragraph 2a (new)		<i>By ... [the date of entry into force of this Regulation] and every two years thereafter, the Commission shall submit to the European Parliament and to the Council a report containing an overview of the information, developments in the area of consumer law</i>		GREEN <u><i>2b. That report shall be accompanied, where necessary, by legislative proposals.</i></u>

			<i>enforcement and statistics exchanged under the surveillance mechanism established pursuant to Article 33, including posted alerts and follow-up actions taken in relation to external alerts, and an overview of widespread infringements and widespread infringements with a Union dimension pursuant to Article 16. [Am. 140]</i>		
579	Article 51	<i>Article 51</i>	<i>Article 51</i>	<i>Article 51</i>	<i>Article 51</i>
580	Article 51 - title	Amendment of the Annex to Regulation (EU) No 2006/2004	deleted	deleted	GREEN deleted
581	Article 51	In the Annex to Regulation (EU) No 2006/2004 the following points are added:	deleted	deleted	GREEN deleted
582		"18. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights (OJ L 304, 22.11.2011, p.64).	deleted	deleted	GREEN deleted
583		19. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Article 20 (OJ L 376, 27.12. 2006, p. 36).	deleted	deleted	GREEN deleted
584		20. Regulation (EC) No 1371/2007 of the European	deleted	deleted	GREEN deleted

	Parliament and of the Council of 23 October 2007 on railway passenger rights and obligations (OJ L 315, 3.12. 2007, p. 14).			
585	21. Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1).	deleted	deleted	GREEN deleted
586	22. Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community: Articles 22, 23 and 24 (OJ L 293, 31.10.2008, p. 3).	deleted	deleted	GREEN deleted
587	23. Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property: Articles 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, Chapter 10 and Annexes I and II (OJ L 60, 28.2.2014, p. 34).	deleted	deleted	GREEN deleted
588	24. Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the	deleted [Am. 141]	deleted	GREEN deleted

		comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features, Articles 4 to 18 and 20(2) (OJ L 257, 28.8.2014, p. 214)."			
589	Article 52	<i>Article 52</i>	<i>Article 52</i>	<i>Article 52</i>	<i>Article 52</i>
590	Article 52 - title	Repeal	Repeal	Repeal	Repeal
591	Article 52 - paragraph 1	Regulation (EU) No 2006/2004 is repealed from [date of application of this Regulation].	Regulation (EU) No 2006/2004 is repealed from [date of application of this Regulation].	Regulation (EU) No 2006/2004 is repealed from [date of application of this Regulation].	GREEN Regulation (EU) No 2006/2004 is repealed from [date of application of this Regulation].
592	Article 53	<i>Article 53</i>	<i>Article 53</i>	<i>Article 53</i>	GREEN
593	Article 53 - title	Entry into force and application	Entry into force and application	Entry into force and application	GREEN Entry into force and application
594	Article 53 – paragraph 1	The Regulation shall enter into force on the twentieth day following its publication in the <i>Official Journal of the European Union</i> .	The Regulation shall enter into force on the twentieth day following its publication in the <i>Official Journal of the European Union</i> .	The Regulation shall enter into force on the twentieth day following its publication in the <i>Official Journal of the European Union</i> .	GREEN The Regulation shall enter into force on the twentieth day following its publication in the <i>Official Journal of the European Union</i> .
595	Article 53 – paragraph 2	This Regulation shall apply from [<i>one year after its entry into force</i>].	This Regulation shall apply from ... [one year 18 months after its the date of entry into force of this Regulation]. [Am. 142]	This Regulation shall apply from [one year two years] after its entry into force].	GREEN This Regulation shall apply from ... [one year 24 months after its the date of entry into force of this Regulation].

596	Article 53 – paragraph 3	However, Article 51 shall apply from [the entry into force of this Regulation].	deleted [Am. 143]	deleted	GREEN deleted
597	Article 53 – paragraph 4	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	GREEN This Regulation shall be binding in its entirety and directly applicable in all Member States.
598		Done at Brussels,	Done at ... Brussels ,	Done at Brussels,	Done at Brussels,

ANNEX

Directives and Regulations referred to in point (a) of Article 3

	Annex	ANNEX	ANNEX	ANNEX	GREEN ANNEX
599	Annex - title	Directives and Regulations referred to in point (a) of Article 3	Directives and Regulations referred to in point (a) of Article 3	Directives and Regulations referred to in point (a) of Article 3	Directives and Regulations referred to in point (a) of Article 3
600	Annex – point 1	1. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).	1. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).	1. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).	1. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).
601	Annex – point 2	2. Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers (OJ L 80, 18.3.1998, p. 27).	2. Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers (OJ L 80, 18.3.1998, p. 27).	2. Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers (OJ L 80, 18.3.1998, p. 27).	2. Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers (OJ L 80, 18.3.1998, p. 27).
602	Annex – point 3	3. Directive 1999/44/EC of the European Parliament and of the	3. Directive 1999/44/EC of the European Parliament and of the	3. Directive 1999/44/EC of the European Parliament and of the	3. Directive 1999/44/EC of the European Parliament and of the

		Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ L 171, 7.7.1999, p. 12).	Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ L 171, 7.7.1999, p. 12).	Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ L 171, 7.7.1999, p. 12).	Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ L 171, 7.7.1999, p. 12).
603	Annex – point 4	4. 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).	4. 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).	4. 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).	4. 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).
604	Annex – point 5	5. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use: Articles 86 to 100 (OJ L 311, 28.11.2001, p. 67).	5. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use: Articles 86 to 100 (OJ L 311, 28.11.2001, p. 67).	5. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use: Articles 86 to 100 (OJ L 311, 28.11.2001, p. 67).	5. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use: Articles 86 to 100 (OJ L 311, 28.11.2001, p. 67).
605	Annex – point 6	6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications): Article 13 (OJ L 201, 31.7.2002, p. 37).	6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications): Article 13 (OJ L 201, 31.7.2002, p. 37).	6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications): Article 13 (OJ L 201, 31.7.2002, p. 37).	6. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications): Article 13 (OJ L 201, 31.7.2002, p. 37).
606	Annex – point 7	7. Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002	7. Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002	7. Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002	7. Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002

		concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16).	concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16).	concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16).	concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, p. 16).
607	Annex – point 8	8. Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1).	8. Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1).	8. Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1).	8. Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1).
608	Annex – point 9	9. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (OJ L 149, 11.6.2005, p. 22).	9. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (OJ L 149, 11.6.2005, p. 22).	9. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (OJ L 149, 11.6.2005, p. 22).	9. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (OJ L 149, 11.6.2005, p. 22).
609	Annex – point 10	10. Regulation (EC) No 1107/2006 of the European	10. Regulation (EC) No 1107/2006 of the European	10. Regulation (EC) No 1107/2006 of the European	10. Regulation (EC) No 1107/2006 of the European

		Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1.).	Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1.).	Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1.).	Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1.).
610	Annex – point 11	11. Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21): Article 1, Article 2(c) and Articles 4 to 8.	11. Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21): Article 1, Article 2(c) and Articles 4 to 8.	11. Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21): Article 1, Article 2(c) and Articles 4 to 8.	11. Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21): Article 1, Article 2(c) and Articles 4 to 8.
611	Annex – point 12	12. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12. 2006, p. 36): Article 20.	12. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12. 2006, p. 36): Article 20.	12. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12. 2006, p. 36): Article 20.	12. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12. 2006, p. 36): Article 20.
612	Annex – point 13	13. Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12. 2007, p. 14).	13. Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12. 2007, p. 14).	13. Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12. 2007, p. 14).	13. Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12. 2007, p. 14).
613	Annex – point 14	14. Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 22.5.2008, p. 66).	14. Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 22.5.2008, p. 66).	14. Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 22.5.2008, p. 66).	14. Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 22.5.2008, p. 66).
614	Annex – point 15	15. Regulation (EC) No 1008/2008 of the European	15. Regulation (EC) No 1008/2008 of the European	15. Regulation (EC) No 1008/2008 of the European	15. Regulation (EC) No 1008/2008 of the European

		Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3.): Articles 22, 23 and 24	Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3.): Articles 22, 23 and 24	Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3.): Articles 22, 23 and 24	Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3.): Articles 22, 23 and 24
615	Annex – point 16	16. Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 3.2.2009, p. 10).	16. Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 3.2.2009, p. 10).	16. Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 3.2.2009, p. 10).	16. Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 3.2.2009, p. 10).
616	Annex – point 17	17. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1): Articles 9, 10, 11 and Articles 19 to 26.	17. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1): Articles 9, 10, 11 and Articles 19 to 26.	17. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1): Articles 9, 10, 11 and Articles 19 to 26.	17. Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1): Articles 9, 10, 11 and Articles 19 to 26.
617	Annex – point 18	18. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending	18. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending	18. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending	18. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending

		Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1.).	Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1.).	Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1.).	Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1.).
618	Annex – point 19	19. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 on the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1.).	19. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 on the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1.).	19. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 on the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1.).	19. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 on the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1.).
619	Annex – point 20	20. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p.64).	20. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p.64).	20. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p.64).	20. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p.64).
620	Annex – point 21	21. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63): Article 13.	21. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63): Article 13.	21. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63): Article 13.	21. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63): Article 13.

621	Annex – point 21a (new) [Council] Annex – point 24a (new) [EP]		<i>24a. Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR): Article 14 (OJ L 165, 18.6.2013, p. 1). [Am. 144]</i>	<u>21a. Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR) (OJ L 165, 18.3.2013, p. 1) : Article 14 of ODR no 524/2013.</u>	<u>21a. Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR) (OJ L 165, 18.3.2013, p. 1) : Article 14 of ODR no 524/2013.</u>
622	Annex – point 22	22. Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34): Articles 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, Chapter 10 and Annexes I and II.	22. Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34): Articles 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, Chapter 10 and Annexes I and II.	22. Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34): Articles 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, Chapter 10 and Annexes I and II.	22. Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34): Articles 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, Chapter 10 and Annexes I and II.
623	Annex – point 23	23. Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (OJ L 257, 28.8.2014, p. 214): Articles 3 to 18 and Article 20(2).	23. Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (OJ L 257, 28.8.2014, p. 214): Articles 3 to 18 and Article 20(2).	23. Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (OJ L 257, 28.8.2014, p. 214): Articles 3 to 18 and Article 20(2).	23. Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (OJ L 257, 28.8.2014, p. 214): Articles 3 to 18 and Article 20(2).

624	Annex – point 24	24. Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).	24. Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).	24. Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).	24. Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).
625	Annex – point 24b (new)		<i>24b. Regulation (EC) No 924/2009 of the European Parliament and of the Council of 16 September 2009 on cross-border payments in the Community and repealing Regulation (EC) No 2560/2001 (OJ L 266, 9.10.2009, p. 11). [Am. 145]</i>		GREEN <i>Note: EP AM 145 not endorsed</i>
626	Annex – point 24c (new)		<i>24c. Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22). [Am. 146]</i>		GREEN <i>Note: EP AM 146 not endorsed</i>
627	Annex – point 24d (new)		<i>24d. Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the</i>		GREEN <i>Note: EP AM 147 not endorsed</i>

			<i>internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35). [Am. 147]</i>	
628	Annex – point 24e (new)		<i>24e. Directive (EU) 2016/97 of the European Parliament and of the Council of 20 January 2016 on insurance distribution (OJ L 26, 2.2.2016, p. 19). [Am. 148]</i>	GREEN <i>Note: EP AM 148 not endorsed</i>
629	Annex – point 24f (new)		<i>24f. Regulation 2017/... of the European Parliament and of the Council of ... on ensuring the cross-border portability of online content services in the internal market (OJ L ...)+. [Am. 149]</i>	GREEN <i>24a. Regulation 2017/... of the European Parliament and of the Council of ... on ensuring the cross-border portability of online content services in the internal market (OJ L ...)+.</i>
630	Annex – point 24g (new)		<i>24g. Regulation .../... of the European Parliament and of the Council of ... on addressing geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L ...)++. [Am. 150]</i>	GREEN <i>AM 150 will be dealt with under the geo-blocking proposal (Article 10(1) of the geo-blocking proposal amends the CPC Regulation accordingly)</i>

+ OJ: Please insert the serial number, date of adoption and reference to publication of this Regulation (COD 2015/0284). [Am. 149]

+ OJ: Please insert the serial number, date of adoption and reference to publication of this Regulation (COD 2015/0284). [Am. 149]

++ OJ: Please insert the serial number, date of adoption and reference to publication of this Regulation (COD 2016/0152). [Am. 150]

