

Compromise cell in green

Note: Differences between IMCO's position and the Commission's proposal are highlighted in ***Bold/italics***. Differences between the Council's position and the Commission's proposal are underlined. **Bold underline** in the Council column indicates where the Council has amended Commission's text. ***Bold/italics/underline*** in the Commission column indicates IMCO and Council are amending the Commission's proposal in the same manner.

Proposal	IMCO report	Council Working Party	Compromise proposals
COM(2010)0395			
<p>Proposal for a</p> <p>EUROPEAN PARLIAMENT AND COUNCIL REGULATION</p> <p>on administrative cooperation through the Internal Market Information System ('the IMI Regulation')</p> <p>(Text with EEA relevance)</p>			<p>Proposal for a</p> <p>EUROPEAN PARLIAMENT AND COUNCIL REGULATION</p> <p>on administrative cooperation through the Internal Market Information System ('the IMI Regulation') <i><u>and repealing Commission Decision 2008/49/EC of 12 December 2007 concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data</u></i></p> <p>(Text with EEA relevance)</p>
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,			
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,			
Having regard to the proposal from the European Commission,			

After transmission of the proposal to the national Parliaments ,		After transmission of the draft legislative act to the national Parliaments ,	After transmission of the draft legislative act to the national Parliaments ,
Having regard to the opinion of the European Economic and Social Committee ¹ ,			
<u>Having regard to the opinion of the European Data Protection Supervisor,</u>		<i>Having regard to the opinion of the European Data Protection Supervisor,</i>	
Acting in accordance with the ordinary legislative procedure,			
Whereas:			
(1) The application of certain Union acts governing the free movement of goods, persons, services and capital in the internal market requires Member States to cooperate and exchange information with one another and with the Commission. As practical means to implement such information exchange are often not specified in those acts, appropriate practical arrangements need to be made.	(1) The application of certain <i>legal acts of the</i> Union governing the free movement of goods, persons, services and capital in the internal market requires Member States to cooperate <i>more effectively</i> and exchange information with one another and with the Commission. As practical means to implement such information exchange are often not specified in those acts, appropriate practical arrangements need to be made.		(1) The application of certain <i>legal acts of the</i> Union governing the free movement of goods, persons, services and capital in the internal market requires Member States to cooperate <i>more effectively</i> and exchange information with one another and with the Commission. As practical means to implement such information exchange are often not specified in those acts, appropriate practical arrangements need to be made.
(2) The Internal Market Information System (hereinafter 'IMI') is a software application accessible via the Internet, developed by the European Commission in cooperation with the Member States, in order to assist Member States with the practical implementation of information exchange requirements laid down in Union acts by providing a centralised communication mechanism to facilitate		(2) The Internal Market Information System (hereinafter 'IMI') is a software application accessible via the Internet, developed by the European Commission in cooperation with the Member States, in order to assist Member States with the practical implementation of information exchange requirements laid down in Union acts by providing a centralised communication mechanism to facilitate	(2) The Internal Market Information System (hereinafter 'IMI') is a software application accessible via the Internet, developed by the Commission in cooperation with the Member States, in order to assist Member States with the practical implementation of information exchange requirements laid down in Union acts by providing a centralised communication mechanism to facilitate

¹ OJ C , , p. .

cross-border exchange of information and mutual assistance. In particular, IMI helps competent authorities to identify their counterpart in another Member State, manage the exchange of information, including personal data, on the basis of simple and unified procedures and overcome language barriers on the basis of pre-defined and pre-translated workflows.		cross-border exchange of information and mutual assistance. In particular, IMI helps competent authorities to identify their counterpart in another Member State, manage the exchange of information, including personal data, on the basis of simple and unified procedures and overcome language barriers on the basis of pre-defined and pre-translated workflows. <u>Where available, the Commission should provide IMI users with any existing additional translation functionality that meets their needs, is compatible with the security and confidentiality requirements for the exchange of information in IMI and can be offered at reasonable costs.</u>	cross-border exchange of information and mutual assistance. In particular, IMI helps competent authorities to identify their counterpart in another Member State, manage the exchange of information, including personal data, on the basis of simple and unified procedures and overcome language barriers on the basis of pre-defined and pre-translated workflows. <u>Where available, the Commission should provide IMI users with any existing additional translation functionality that meets their needs, is compatible with the security and confidentiality requirements for the exchange of information in IMI and can be offered at reasonable costs.</u>
		<u>(2a) In order to overcome language barriers, IMI should in principle be available in all official EU languages.</u>	<u>(2a) In order to overcome language barriers, IMI should in principle be available in all official Union languages.</u>
(3) The purpose of IMI should be to improve the functioning of the internal market by providing an effective, user-friendly tool for the implementation of administrative cooperation between the Member States and the Commission, thus facilitating the application of Union acts <u>set out</u> in the <u>Annexes</u> to this Regulation.		(3) The purpose of IMI should be to improve the functioning of the internal market by providing an effective, user-friendly tool for the implementation of administrative cooperation between the Member States and the Commission, thus facilitating the application of Union acts set out <u>listed</u> in the Annexes <u>Annex</u> to this Regulation.	(3) The purpose of IMI should be to improve the functioning of the internal market by providing an effective, user-friendly tool for the implementation of administrative cooperation between the Member States and the Commission, thus facilitating the application of Union acts <u>listed</u> in the <u>Annex</u> to this Regulation.
(4) The Commission Communication 'Better governance of the Single Market through greater administrative cooperation: A strategy for expansion and further development of the Internal Market Information System ("IMI")' set out plans for the possible expansion of			

<p>IMI to other Union acts. The Commission Communication 'A Single Market Act' stressed the importance of IMI for strengthening cooperation among the actors involved, including at local level, thus contributing to better governance of the single market . It is therefore necessary to establish a sound legal framework for IMI and a set of common rules to ensure that the system functions efficiently.</p>			
<p>(5) Where the application of a provision of a Union act requires Member States to exchange personal data and provides for the purpose of this processing, such a provision should be considered an adequate legal basis for the processing of personal data, subject to conditions set out in Articles 8 and 52 of the Charter of Fundamental Rights of the European Union. IMI should be seen primarily as a tool used for the exchange of information (including personal data) which would otherwise take place via other means, including regular mail, fax or electronic mail on the basis of a legal obligation imposed on Member States' authorities and bodies in Union acts.</p>			<p>(5) Where the application of a provision of a Union act requires Member States to exchange personal data and provides for the purpose of this processing, such a provision should be considered an adequate legal basis for the processing of personal data, subject to conditions set out in Articles 8 and 52 of the Charter of Fundamental Rights of the European Union. IMI should be seen primarily as a tool used for the exchange of information (including personal data) which would otherwise take place via other means, including regular mail, fax or electronic mail on the basis of a legal obligation imposed on Member States' authorities and bodies in Union acts.</p> <p>Personal data exchanged via IMI should only be collected, processed and used for purposes in line with those for which it was originally collected subject to all relevant safeguards.</p>
<p>(6) Following the privacy-by-design principle, IMI has been developed with the requirements of data protection legislation in mind and has been data protection-friendly from its inception, in</p>			

particular because of the restrictions imposed on access to personal data exchanged in the system. Therefore, IMI offers a considerably higher level of protection and security than other methods of information exchange such as mail, telephone, fax or e-mail.			
(7) Administrative cooperation by electronic means between Member States and between Member States and the Commission should comply with the rules on the protection of personal data laid down in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and in 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 .		(7) Administrative cooperation by electronic means between Member States and between Member States and the Commission should comply with the rules on the protection of personal data laid down in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and in 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. <i>The definitions used in the Directive and the Regulation mentioned above should also apply for the purposes of this Regulation.</i>	(7) Administrative cooperation by electronic means between Member States and between Member States and the Commission should comply with the rules on the protection of personal data laid down in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and in 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. <i>The definitions used in Directive 95/46/EC and Regulation (EC) No 45/2001 should also apply for the purposes of this Regulation.</i>
		<i>(7a) The Commission supplies and manages the software and IT infrastructure for IMI, ensures the security of the IMI system, manages the network of national IMI coordinators and is involved in training and technical assistance of the users. For these purposes the Commission should only have access to such personal data that are strictly necessary to carry out</i>	<i>(7a) The Commission supplies and manages the software and IT infrastructure for IMI, ensures the security of the IMI system, manages the network of national IMI coordinators and is involved in training and technical assistance of the IMI users. For these purposes the Commission should only have access to such personal data that are strictly necessary</i>

		its tasks within the responsibilities set out in this Regulation, such as the registration of national IMI coordinators or, upon a request of another IMI actor, to retrieve personal data that have been blocked in the IMI system and to which the data subject has requested access. The Commission should not have access to personal data exchanged as part of administrative cooperation within IMI, unless a Union act foresees a role for the Commission in such cooperation.	to carry out its tasks within the responsibilities set out in this Regulation, such as the registration of national IMI coordinators or, upon a request of another IMI actor, to retrieve personal data that have been blocked in the IMI system and to which the data subject has requested access. The Commission should not have access to personal data exchanged as part of administrative cooperation within IMI, unless a Union act provides for a role for the Commission in such cooperation.
(8) In order to ensure transparency, in particular for data subjects, the Union <i>acts</i> for which IMI is to be used should be listed in Annex <i>I</i> to this Regulation. <u>Areas of possible further expansion should be set out in Annex II. It is appropriate to identify in Annex II, a set of Union acts where it is necessary to evaluate the technical feasibility; cost efficiency, user friendliness and the overall impact on the system, before it is decided to use IMI for such acts.</u>	(8) In order to ensure transparency, in particular for data subjects, the <i>legal acts of the</i> Union for which IMI is to be used should be listed in <i>the</i> Annex to this Regulation.	(8) In order to ensure transparency, in particular for data subjects, the <i>provisions of</i> Union acts for which IMI is to be used should be listed in <i>the</i> Annex <i>I</i> to this Regulation. Areas of possible further expansion should be set out in Annex II. It is appropriate to identify in Annex II, a set of Union acts where it is necessary to evaluate the technical feasibility; cost efficiency, user friendliness and the overall impact on the system, before it is decided to use IMI for such acts.	(8) In order to ensure transparency, in particular for data subjects, the <i>provisions of</i> Union acts for which IMI is to be used should be listed in <i>the</i> Annex to this Regulation.
		<u>(8a) IMI may be expanded in the future to new legal areas, where it can help to ensure effective implementation of a Union act in a cost efficient, user friendly way, taking account of technical feasibility and overall impact on the system. Decisions to expand IMI to further Union acts should be taken via the ordinary legislative procedure.</u>	<u>(8a) IMI may be expanded in the future to new legal areas, where it can help to ensure effective implementation of a Union act in a cost efficient, user friendly way, taking account of technical feasibility and overall impact on the system. The Commission should conduct the necessary tests to verify the technical readiness of the system for any envisaged expansion. Decisions to expand IMI to further Union acts</u>

			should be taken via the ordinary legislative procedure.
		<i>(8b) Pilot projects are a useful tool to test whether the expansion of IMI to new legal areas is justified and to adapt technical functionality and procedural arrangements to the requirements of the IMI users before a decision on expansion of IMI is taken. Member States should be fully involved in deciding which Union acts should be subject to a pilot project and on the modalities of that project in order to ensure that the pilot reflects the needs of the users and that the provisions on processing of personal data are fully complied with. Such modalities should be defined separately for each pilot project.</i>	<i>(8b) Pilot projects are a useful tool to test whether the expansion of IMI to new legal areas is justified and to adapt technical functionality and procedural arrangements to the requirements of the IMI users before a decision on expansion of IMI is taken. Member States should be fully involved in deciding which Union acts should be subject to a pilot project and on the modalities of that project in order to ensure that the pilot reflects the needs of the IMI users and that the provisions on processing of personal data are fully complied with. Such modalities should be defined separately for each pilot project.</i>
(9) Nothing in this Regulation should preclude Member States and the Commission deciding to use IMI for the exchange of information which does not involve the processing of personal data.			
(10) This Regulation should set out the rules for using IMI for the purposes of administrative cooperation, which may cover inter alia the one-to-one exchange of information, notification procedures, alert mechanisms, mutual assistance arrangements and problem solving.			
(11) Member States should be able to adapt functions and responsibilities in relation to IMI to their internal administrative structures <u>or to take into account particular</u> needs of a specific IMI workflow. <u>The</u> tasks of IMI		<i>(11) The right of the Member States to decide which national authorities carry out the obligations resulting from this Regulation remains unaffected by this Regulation. Member States should be able to adapt functions and</i>	<i>(11) The right of the Member States to decide which national authorities carry out the obligations resulting from this Regulation should remain unaffected by this Regulation. Member States should be able to adapt functions and</i>

coordinators may be carried out by one or more delegated IMI coordinators, alone or jointly with others, for a particular area of the internal market, a division of the administration, a geographic region, or according to another criterion.		responsibilities in relation to IMI to their internal administrative structures, <i>as well as to implement the needs of a specific IMI workflow or to take into account particular needs of a specific IMI workflow.</i> Member States may appoint additional IMI coordinators to carry out the tasks of <i>national</i> IMI coordinators may be carried out by one or more delegated IMI coordinators , alone or jointly with others, for a particular area of the internal market, a division of the administration, a geographic region, or according to another criterion. <i>IMI coordinators do not have to be indicated as such in the IMI system, where this is not required for the proper functioning of the system.</i>	responsibilities in relation to IMI to their internal administrative structures, as well as to implement the needs of a specific IMI workflow. Member States <i>should be able to</i> appoint additional IMI coordinators to carry out the tasks of national IMI coordinators, alone or jointly with others, for a particular area of the internal market, a division of the administration, a geographic region, or according to another criterion. <i>Member States should inform the Commission of the coordinators they have appointed, but they should not be obliged to indicate additional IMI coordinators</i> do not have to be indicated as such in the IMI system, where this is not required for the proper functioning of the system.
	<i>(11a) The Member States and the Commission should ensure that IMI actors have the adequate resources available in order to achieve efficient and well-functioning administrative cooperation through IMI.</i>	<i>(11a) In order to achieve efficient administrative cooperation via IMI, Member States and the Commission should ensure that their IMI actors have the necessary resources to carry out their obligations according to this Regulation.</i>	<i>(11a) In order to achieve efficient administrative cooperation through IMI, Member States and the Commission should ensure that their IMI actors have the necessary resources to carry out their obligations in accordance with to this Regulation.</i>
(12) While IMI is in essence a communication tool for public authorities, not open to the general public, technical means may need to be developed to allow external actors such as citizens, enterprises and organisations to interact with the competent authorities in order to supply information and retrieve data, or to exercise their rights as data subjects. Such technical means should include appropriate safeguards for data protection.	(12) While IMI is in essence a communication tool for public authorities, not open to the general public, technical means may need to be developed to allow external actors such as citizens, enterprises and organisations to interact with the competent authorities in order to supply information and retrieve data, or to exercise their rights as data subjects. Such technical means should include appropriate safeguards for data protection. <i>In order to ensure a high level of security, any such public interface should be developed as a</i>	(12) While IMI is in essence a communication tool for <i>administrative cooperation and exchange of information between competent authorities</i> communication tool for public authorities , not open to the general public, technical means may need to be developed to allow external actors such as citizens, enterprises and organisations to interact with the competent authorities in order to supply information and retrieve data, or to exercise their rights as data subjects. Such technical means should include	(12) While IMI is in essence a communication tool for <i>administrative cooperation and exchange of information between competent authorities</i> communication tool for public authorities , not open to the general public, technical means may need to be developed to allow external actors such as citizens, enterprises and organisations to interact with the competent authorities in order to supply information and retrieve data, or to exercise their rights as data subjects. Such technical means should include

	<i>separate technical system to the IMI application to which only IMI users should have access.</i>	appropriate safeguards for data protection. <i>In order to ensure a high level of security, any such public interface should be developed in such a way as to be technically fully separate from the IMI application to which only registered users of competent authorities should have access.</i>	appropriate safeguards for data protection. <i>In order to ensure a high level of security, any such public interface should be developed in such a way as to be technically fully separate from the IMI application to which only registered users of competent authorities should have access.</i>
		(12a) <i>The use of IMI for the technical support of the SOLVIT network should be without prejudice to the informal character of the SOLVIT procedure which is based on a voluntary commitment of the Member States, in accordance with the Commission Recommendation of 7 December 2001 on principles for using "SOLVIT" - the Internal Market Problem Solving Network. To continue the functioning of the SOLVIT network on the basis of the existing work arrangements, one or more of the tasks of the national IMI coordinator may be assigned to SOLVIT centres with regard to their own work, so that they can function independently from the national IMI coordinator. The processing of personal data and of confidential information as part of SOLVIT procedures should benefit from all guarantees set out in this Regulation, without prejudice to the non-binding character of the SOLVIT Recommendation.</i>	(12a) <i>The use of IMI for the technical support of the SOLVIT network should be without prejudice to the informal character of the SOLVIT procedure which is based on a voluntary commitment of the Member States, in accordance with the Commission Recommendation of 7 December 2001 on principles for using "SOLVIT" - the Internal Market Problem Solving Network² ('SOLVIT Recommendation'). To continue the functioning of the SOLVIT network on the basis of the existing work arrangements, one or more of the tasks of the national IMI coordinator may be assigned to SOLVIT centres with regard to their own work, so that they can function independently from the national IMI coordinator. The processing of personal data and of confidential information as part of SOLVIT procedures should benefit from all guarantees set out in this Regulation, without prejudice to the non-binding character of the SOLVIT Recommendation.</i>
		<u>(12b) While the IMI system includes an internet based interface for its users, in certain cases and at the</u>	<u>(12b) While the IMI system includes an internet based interface for its users, in certain cases and at the</u>

² OJ L 331, 15.12.2001, p.79.

		<u>request of the Member State concerned it may be appropriate to consider technical solutions for the direct transfer of data from national systems to IMI, where such national systems have already been developed, notably for notification procedures. The implementation of such technical solutions should depend on the outcome of an assessment of their feasibility, costs and expected benefits. These solutions should not affect the existing structures and the national order of competences.</u>	<u>request of the Member State concerned it may be appropriate to consider technical solutions for the direct transfer of data from national systems to IMI, where such national systems have already been developed, notably for notification procedures. The implementation of such technical solutions should depend on the outcome of an assessment of their feasibility, costs and expected benefits. These solutions should not affect the existing structures and the national order of competences.</u>
		<u>(12c) Where Member States have fulfilled the obligation to notify under Article 15(7) of Directive 2006/123/EC on services in the internal market by using the procedure in accordance with Directive 98/34/EC, they should not be required to make the same notification also through the IMI.</u>	<u>(12c) Where Member States have fulfilled the obligation to notify under Article 15(7) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market³ by using the procedure in accordance with Directive 98/34/EC, they should not be required to make the same notification also through the IMI.</u>
<p>(13) The exchange of information through IMI follows from the legal obligation on Member States' authorities to give mutual assistance. To ensure that the internal market functions properly, information received by a competent authority through IMI from another Member State should not be deprived of its value as evidence in administrative proceedings solely on the ground that it originated in another Member State or was received by electronic means, and it should be treated by the authority in the</p>			

³ OJ L 376, 27.12.2006, p.36.

same way as similar documents originating in its Member State.			
(14) To guarantee a high level of data protection, maximum retention periods for personal data in IMI need to be established. However, these periods <u>also need to be long enough to allow</u> data subjects to fully exercise their rights, for instance by obtaining evidence that an information exchange took place in order to appeal against a decision.		(14) To guarantee a high level of data protection, maximum retention periods for personal data in IMI need to be established. However, these periods <u>should be well balanced taking into due consideration the need of the proper functioning of the IMI system, as well as the rights of the</u> also need to be long enough to allow data subjects to fully exercise their rights, for instance by obtaining evidence that an information exchange took place in order to appeal against a decision. <u>In particular, retention periods should not go beyond what is necessary to achieve the objectives of this Regulation.</u>	(14) To guarantee a high level of data protection, maximum retention periods for personal data in IMI need to be established. However, these periods <u>should be well balanced taking into due consideration the need of the proper functioning of the IMI system, as well as the rights of the</u> also need to be long enough to allow data subjects to fully exercise their rights, for instance by obtaining evidence that an information exchange took place in order to appeal against a decision. <u>In particular, retention periods should not go beyond what is necessary to achieve the objectives of this Regulation.</u>
(15) It should be possible to process the name and contact details of IMI users for purposes compatible with the objectives of this Regulation, including monitoring of the use of the system by IMI coordinators and the Commission, communication, training and awareness-raising initiatives, and gathering information on administrative cooperation or mutual assistance in the internal market.			
(16) The European Data Protection Supervisor should monitor and ensure the application of the provisions of this Regulation, including the relevant provisions on data security.	(16) The European Data Protection Supervisor should monitor and ensure the application of the provisions of this Regulation, <i>inter alia maintaining contacts with national data protection authorities</i> , including the relevant provisions on data security.		(16) The European Data Protection Supervisor should monitor and <u>seek to</u> ensure the application of the provisions of this Regulation, <i>inter alia maintaining contacts with national data protection authorities</i> , including the relevant provisions on data security.

	<i>(16a) The effective monitoring of and reporting on the application of this Regulation requires the regular provision by the Member States of relevant information to the Commission.</i>		To ensure Tthe effective monitoring of and reporting on the <u>functioning of IMI</u> and the application of this Regulation requires the regular provision by the Member States <u>should make available</u> of relevant information to the Commission.
(17) Data subjects should be informed about the processing of their personal data in IMI and that they have the right of access to the data relating to them, and the right to have inaccurate data corrected and illegally processed data erased, in accordance with national legislation implementing Directive 95/46/EC.		(17) Data subjects should be informed about the processing of their personal data in IMI and that they have the right of access to the data relating to them, and the right to have inaccurate data corrected and illegally processed data erased, in accordance with <i>this Regulation</i> and national legislation implementing Directive 95/46/EC.	(17) Data subjects should be informed about the processing of their personal data in IMI and that they have the right of access to the data relating to them, and the right to have inaccurate data corrected and illegally processed data erased, in accordance with <i>this Regulation</i> and national legislation implementing Directive 95/46/EC.
(18) The administrative cooperation procedures provided for in IMI should be facilitated by predefined workflows, question sets and forms drawn up for this purpose by the Commission, supplemented as appropriate by attached files and free text input. In order to ensure sufficient transparency for data subjects, the predefined workflows and forms and other arrangements relating to administrative cooperation procedures in IMI should be made public.		(18) <u>In order to make it possible for the competent authorities of the Member States to implement legal provisions for administrative cooperation and efficiently exchange information by means of IMI, it may be necessary to lay down practical arrangements for such an exchange through IMI. These arrangements should be adopted by the Commission in the form of a separate implementing act for each Union act listed in the Annex or for each type of administrative cooperation procedure and should cover the essential technical functionality and procedural arrangements required to implement the relevant administrative cooperation procedures via IMI. The Commission should ensure the maintenance and development of the software and IT infrastructure for IMI.</u> The administrative cooperation	(18) <u>In order to make it possible for the competent authorities of the Member States to implement legal provisions for administrative cooperation and efficiently exchange information by means of IMI, it may be necessary to lay down practical arrangements for such an exchange through IMI. These arrangements should be adopted by the Commission in the form of a separate implementing act for each Union act listed in the Annex or for each type of administrative cooperation procedure and should cover the essential technical functionality and procedural arrangements required to implement the relevant administrative cooperation procedures via IMI. The Commission should ensure the maintenance and development of the software and IT infrastructure for</u>

		procedures provided for in IMI should be facilitated by predefined workflows, question sets and forms drawn up for this purpose by the Commission, supplemented as appropriate by attached files and free text input.	IMI
		(18a) In order to ensure sufficient transparency for data subjects, the predefined workflows, question and answer sets, and forms and other arrangements relating to administrative cooperation procedures in IMI should be made public.	(18a) In order to ensure sufficient transparency for data subjects, the predefined workflows, question and answer sets, and forms and other arrangements relating to administrative cooperation procedures in IMI should be made public.
	<i>(18a) In order to enhance confidence in the operability of IMI, the Commission should conduct technical controls and stress tests as appropriate, as a means of increasing the use of IMI across the Union.</i>		deleted:
(19) Where Member States apply, in accordance with Article 13 of Directive 95/46/EC, any limitations on or exceptions to the rights of data subjects, information about such limitations or exceptions should be made public in order to ensure full transparency for data subjects. Such exceptions or limitations should be necessary and proportionate to the intended purpose and subject to adequate safeguards.			
	<i>(19a) It should be possible to include IMI actors' counterparts from third countries in the IMI, provided that an international agreement has been concluded between the Union and the third countries concerned and provided that it has been established that the</i>	<i>(19a) Where international agreements are concluded between the European Union and third countries that also cover the application of provisions in Union acts listed in the Annex to this Regulation, it should be possible to include the counterparts of IMI actors</i>	<i>(19a) Where international agreements are concluded between the Union and third countries that also cover the application of provisions in Union acts listed in the Annex to this Regulation, it should be possible to include the counterparts of IMI actors in such third</i>

	<i>third countries concerned offer a sufficient level of protection of personal data, including meeting the requirements of Directive 95/46/EC.</i>	<i>in such third countries in the administrative cooperation procedures supported by IMI, provided that it has been established that the third country concerned offers an adequate level of protection of personal data in accordance with Directive 95/46/EC.</i>	<i>countries in the administrative cooperation procedures supported by IMI, provided that it has been established that the third country concerned offers an adequate level of protection of personal data in accordance with Directive 95/46/EC.</i>
(20) Commission Decision 2008/49/EC of 12 December 2007 concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data should be repealed . Commission Decision 2009/739/EC of 2 October 2009 setting out the practical arrangements for the exchange of information by electronic means between the Member States under Chapter VI of Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market should continue to apply to issues relating to the exchange of information under Directive 2006/123/EC on services in the internal market .		(20) Commission Decision 2008/49/EC of 12 December 2007 concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data should be repealed. Commission Decision 2009/739/EC of 2 October 2009 setting out the practical arrangements for the exchange of information by electronic means between the Member States under Chapter VI of Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market should continue to apply to issues relating to the exchange of information under Directive 2006/123/EC <i>of the European Parliament and of the Council</i> on services in the internal market..	(20) Commission Decision 2008/49/EC of 12 December 2007 concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data should be repealed. Commission Decision 2009/739/EC of 2 October 2009 setting out the practical arrangements for the exchange of information by electronic means between the Member States under Chapter VI of Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market should continue to apply to issues relating to the exchange of information under Directive 2006/123/EC <i>of the European Parliament and of the Council</i> on services in the internal market..
<u>(21) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty in respect of Union acts, among those listed in Annex II, in which provisions on administrative cooperation and information exchange can be implemented by means of IMI.</u>	<i>deleted</i>	(21) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty in respect of Union acts, among those listed in Annex II, in which provisions on administrative cooperation and information exchange can be implemented by means of IMI. <i>In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the</i>	<i>(21) In order to ensure uniform conditions for the implementation of this Regulation, 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 of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's</i>

		<i>Commission. Those powers should be exercised in accordance with 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 the Member States of the Commission's exercise of implementing powers.</i>	<i>exercise of implementing powers.</i>
		<i>(22) Since the objectives of this Regulation, namely laying down the rules for the use of IMI for administrative cooperation cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at 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 Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</i>	<i>(21a) Since the objectives of this Regulation, namely laying down the rules for the use of IMI for administrative cooperation cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at 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 Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</i>
			<p>(21ba) The performance of the Member States regarding the effective application of this Regulation should be monitored in the annual report on the functioning of IMI based on statistical data from the IMI system and any other relevant data. The performance of Member States should be evaluated, inter alia, based on average reply times with the aim of ensuring rapid replies of good quality.</p> <p>Inserted following the package agreement on resources</p>

		<i>(23) The European Data Protection Supervisor has also delivered his opinion on the proposal to this Regulation on 23 November 2011.</i>	<i>(21c) The European Data Protection Supervisor has been consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001 and delivered an opinion on 22 November 2011⁴</i>
HAVE ADOPTED THIS REGULATION:			
Chapter I GENERAL PROVISIONS			
Article 1 Subject matter			
This Regulation lays down rules for the use of an Internal Market Information System, hereinafter 'IMI', for administrative cooperation, including processing of personal data, among competent authorities <u>in</u> the Member States and the Commission.	This Regulation lays down rules for the use of an Internal Market Information System, hereinafter 'IMI', for administrative cooperation, including processing of personal data, among competent authorities in the Member States and the Commission. <i>It shall be ensured that all personal data and information circulated among the different competent authorities is collected, processed and used for strictly legitimate purposes which are in line with data protection rules. Furthermore, all relevant safeguards against abuse of the system shall be firmly put in place.</i>	This Regulation lays down rules for the use of an Internal Market Information System, hereinafter 'IMI', for administrative cooperation, including processing of personal data, among competent authorities <i>of in</i> the Member States <i>or between competent authorities of the Member States</i> and the Commission.	<i>This Regulation lays down rules for the use of an Internal Market Information System, hereinafter 'IMI', for administrative cooperation, including processing of personal data, among competent authorities <u>of</u> the Member States <u>or between competent authorities of the Member States</u> and the Commission.</i>
Article 2			

⁴ *OJ C 48, 18.2.2012, p. 2.*

Establishment of the Internal Market Information System			
An Internal Market Information System is hereby established.		An Internal Market Information System is hereby <i>formally</i> established.	An Internal Market Information System is hereby formally established.
Article 3 Scope			
IMI shall be used for exchange of information between competent authorities in the Member States and the Commission necessary for the implementation of internal market acts which provide for administrative cooperation, including the exchange of personal data, between Member States or between Member States and the Commission. The internal market acts are set out in Annex I .	IMI shall be used for exchange of information between competent authorities in the Member States and the Commission necessary for the implementation of internal market acts which provide for administrative cooperation, including the exchange of personal data, between Member States or between Member States and the Commission. The internal market acts are set out in <i>the</i> Annex.	1. IMI shall be used for exchange of information administrative cooperation among competent authorities of the Member States or between competent authorities of in the Member States and the Commission necessary for the implementation of internal market Union acts in the field of the internal market within the meaning of Article 26(2) of the Treaty which provide for administrative cooperation, including the exchange of personal data, between Member States or between Member States and the Commission. The internal market Those Union acts are set out listed in the Annex I .	1. IMI shall be used for administrative cooperation among competent authorities of the Member States or between competent authorities of the Member States and the Commission necessary for the implementation of Union acts in the field of the internal market within the meaning of Article 26(2) of the Treaty which provide for administrative cooperation, including the exchange of personal data, between Member States or between Member States and the Commission. Those Union acts are listed in the Annex.
		2. Nothing in this Regulation shall have the effect of rendering mandatory the provisions of Union acts which have no binding force.	2. Nothing in this Regulation shall have the effect of rendering mandatory the provisions of Union acts which have no binding force.
Article 4 <i>Development</i> of IMI	Article 4 <i>Expansion</i> of IMI	Article 4 Expansion Development of IMI	Article 4 Expansion of IMI
1. For the acts listed in Annex II to this Regulation, the Commission may decide	1. The Commission may propose an amendment to the Annex to this	1. For the acts listed in Annex II to this Regulation, the Commission may decide that IMI shall be used, taking into	The Commission may carry out pilot projects in order to assess whether IMI

<p>that IMI <i>shall</i> be used, <u>taking into account technical feasibility, cost-efficiency, user-friendliness and overall impact on the system. In such cases, the Commission shall be empowered to include those acts in Annex I following the procedure referred to in Article 23.</u></p>	<p>Regulation <i>if it decides</i> that IMI is to be used <i>for new legal acts of the Union.</i></p>	<p>account technical feasibility, cost-efficiency, user-friendliness and overall impact on the system. In such cases, the Commission shall be empowered to include those acts in Annex I following the procedure referred to in Article 23.</p> <p>The Commission may carry out pilot projects in order to assess whether IMI would be an effective tool to implement provisions for administrative cooperation of internal market Union acts not yet listed in the Annex. The Commission shall adopt an implementing act to decide which provisions of internal market Union acts shall be subject to a pilot project, and to set out on the modalities of that each project in particular the basic technical functionality and procedural arrangements required to implement the relevant administrative cooperation provisions. Those implementing acts shall be adopted, in accordance with the examination procedure laid down in Article 22a(3).</p>	<p>would be an effective tool to implement provisions for administrative cooperation of Union acts not yet listed in the Annex. The Commission shall adopt an implementing act to decide determine which provisions of Union acts shall be subject to a pilot project and to set out the modalities of each project in particular the basic technical functionality and procedural arrangements required to implement the relevant administrative cooperation provisions. Those implementing acts shall be adopted in accordance with the examination procedure laid down in Article 22a(3).</p>
<p><u>2. The adoption of the delegated act may be preceded by a test phase (pilot project) of a limited duration involving several or all Member States.</u></p>	<p>2. Before submitting a proposal referred to in paragraph 1, the Commission may carry out pilot projects of a limited duration or impact assessment, including data protection, in order to assess whether IMI would be an effective tool for the implementation of provisions on administrative cooperation of internal market acts not yet listed in the Annex. The Commission shall decide which internal market acts are to be subject to a pilot project, and on the modalities of that</p>	<p>2. The adoption of the delegated act may be preceded by a test phase (pilot project) of a limited duration involving several or all Member States.</p> <p>The Commission shall submit an evaluation of the outcome of the pilot project to the European Parliament and the Council. Where appropriate, that evaluation may be accompanied by a proposal to amend the Annex to provide for the expansion of the use of IMI to the relevant provisions of Union</p>	<p>The Commission shall submit an evaluation of the outcome of the pilot project, including data protection issues and effective translation functionalities, to the European Parliament and the Council. Where appropriate, that evaluation may be accompanied by a legislative proposal to amend the Annex to expand the use of IMI to the relevant provisions of Union acts.</p>

	<i>project.</i>	<i>internal-market acts.</i>	
	<i>2a. The Commission shall submit the results of the pilot project or of the impact assessment to the European Parliament and to the Council, and where appropriate, accompany them with a legislative proposal to amend the Annex for the expansion of IMI.</i>		deleted
Article 5			
Definitions			
For the purposes of this Regulation, the definitions in Directive 95/46/EC and Regulation (EC) No 45/2001 shall apply.			For the purposes of this Regulation, the definitions <i>laid down</i> in Directive 95/46/EC and Regulation (EC) No 45/2001 shall apply.
In addition, the following definitions shall also apply:			
(a) 'Internal Market Information System' ('IMI') means the electronic tool provided by the European Commission to facilitate administrative cooperation between <u><i>national administrations</i></u> and the Commission;	(a) 'Internal Market Information System' ('IMI') means the electronic tool provided by the European Commission to facilitate administrative cooperation <i>among competent authorities or</i> between <i>competent authorities</i> and the Commission;	(a) 'Internal Market Information System' ('IMI') means the electronic tool provided by the European Commission to facilitate administrative cooperation <i>among competent authorities of the Member States or</i> between <i>national administrations</i> <i>competent authorities of the Member States</i> and the Commission;	(a) 'Internal Market Information System' ('IMI') means the electronic tool provided by the European Commission to facilitate administrative cooperation <i>among competent authorities of the Member States or</i> between <i>competent authorities of the Member States</i> and the Commission;
(b) 'administrative cooperation' means competent authorities of Member States and the Commission working in <u><i>close</i></u> collaboration, by exchanging information, including through notifications, or by providing mutual assistance, including for the resolution of problems, for the purpose of better		(b) 'administrative cooperation' means competent authorities <i>of the Member States or competent authorities of the</i> Member States and the Commission working in <i>close</i> collaboration, by exchanging <i>and processing</i> information, including through notifications <i>and alerts</i> , or by providing mutual assistance, including for the resolution of problems,	(b) 'administrative cooperation' means competent authorities <i>of the Member States or competent authorities of the</i> Member States and the Commission working in collaboration, by exchanging <i>and processing</i> information, including through notifications <i>and alerts</i> , or by providing mutual assistance, including for the resolution of problems, for the

application of Union law;		for the purpose of better application of Union law;	purpose of better application of Union law;
(c) 'internal market area' means a legislative or functional field of the internal market within the meaning of Article 26(2) of the Treaty in which IMI is used in accordance with Article 3 above ;		(c) 'internal market area' means a legislative or functional field of the internal market within the meaning of Article 26(2) of the Treaty in which IMI is used in accordance with Article 3 above of this Regulation ;	(c) 'internal market area' means a legislative or functional field of the internal market within the meaning of Article 26(2) of the TFEU in which IMI is used in accordance with Article 3 of this Regulation ;
(d) 'administrative cooperation procedure' means a pre-defined workflow provided for in IMI allowing IMI actors to communicate and interact with each other in a structured manner;			
		<i>(da) 'IMI coordinator' means a body appointed by the Member States to perform support tasks necessary for the efficient functioning of IMI in accordance with this Regulation;</i>	(da) 'IMI coordinator' means a body appointed by the Member States to perform support tasks necessary for the efficient functioning of IMI in accordance with this Regulation;
(e) 'competent authority' means any body established at either national, regional or local level with specific responsibilities relating to the application of national or Union law in one or more internal market areas whose registration in IMI has been validated by an IMI coordinator ;		(e) 'competent authority' means any body established at either national, regional or local level and registered in IMI with specific responsibilities relating to the application of national law or Union law acts listed in the Annex in one or more internal market areas whose registration in IMI has been validated by an IMI coordinator;	(e) 'competent authority' means any body established at either national, regional or local level and registered in IMI with specific responsibilities relating to the application of national law or Union law acts listed in the Annex in one or more internal market areas whose registration in IMI has been validated by an IMI coordinator;
(f) 'IMI coordinator' means a body appointed by the Member States to perform support tasks necessary for the efficient functioning of IMI in accordance with this Regulation;		<i>(f) 'IMI coordinator' means a body appointed by the Member States to perform support tasks necessary for the efficient functioning of IMI in accordance with this Regulation;</i>	deleted
		<i>(fa) 'IMI actors' means the competent authorities, IMI coordinators and the</i>	(fa) 'IMI actors' means the competent authorities, IMI coordinators and the

		<i>Commission;</i>	Commission
(g) 'IMI user' means a natural person working under the <u>control</u> of <u>a competent authority, of an IMI coordinator or of the Commission</u> and registered in IMI on <u>their</u> behalf;		(g) 'IMI user' means a natural person working under the <i>authority control</i> of <i>an IMI actor a competent authority, of an IMI coordinator or of the Commission</i> and registered in IMI on <i>their its</i> behalf;	(g) 'IMI user' means a natural person working under the <i>authority control</i> of <i>an IMI actor a competent authority, of an IMI coordinator or of the Commission</i> and registered in IMI on <i>their its</i> behalf;
<u>(h) 'IMI actors' means the competent authorities, IMI coordinators and the Commission;</u>		(h) 'IMI actors' means the competent authorities, IMI coordinators and the Commission;	deleted
(i) 'external actors' means natural or legal persons other than IMI users that may <u>use</u> IMI through technical <i>means</i> and in accordance with a specific pre-defined workflow provided for this purpose;	(i) 'external actors' means natural or legal persons other than IMI users that may <i>interact with IMI only</i> through <i>a separate</i> technical <i>system</i> and in accordance with a specific pre-defined workflow provided <i>strictly</i> for this purpose;	(i) 'external actors' means natural or legal persons other than IMI users that may interact with IMI <u>only</u> through <u>a separate</u> technical <u>tool means</u> and in accordance with a specific pre-defined workflow provided <u>strictly</u> for this purpose;	(i) 'external actors' means natural or legal persons other than IMI users that may interact with IMI <u>only</u> through <u>separate</u> technical <u>means</u> and in accordance with a specific pre-defined workflow provided <u>strictly</u> for this purpose;
(j) 'blocking' means applying technical means by which personal data become inaccessible to IMI users via the normal interface of the application.			
		(k) " <i>formal closure</i> " means applying the technical facility provided by the IMI system to close an administrative cooperation procedure.	(k) " <i>formal closure</i> " means applying the technical facility provided by the IMI system to close an administrative cooperation procedure.
Chapter II FUNCTIONS AND RESPONSIBILITIES IN RELATION TO IMI			
<u>Article 6</u> <u>General purpose</u>		<i>General purpose</i>	

	<i>-1. Member States shall take all necessary measures to ensure effective application of this Regulation by the competent authorities.</i>		deleted
<u>IMI actors shall exchange and process personal data only for the purposes defined in the relevant legal basis as referred to in Annex I.</u>		IMI actors shall exchange and process personal data only for the purposes defined in the relevant legal basis as referred to in Annex I.	deleted
Article 7 IMI coordinators			
1. Each Member State shall appoint one national IMI coordinator whose <i>tasks</i> shall include:	1. Each Member State shall appoint one national IMI coordinator whose <i>responsibilities</i> shall include:		1. Each Member State shall appoint one national IMI coordinator whose <i>responsibilities</i> shall include:
(a) registering or validating registration of IMI coordinators and competent authorities;			
(b) acting as the main contact point for issues related to IMI <u>and as the interlocutor of the Commission</u> , including for aspects related to the protection of personal data;		(b) acting as the main contact point for issues related to IMI <u>for IMI actors of the Member States</u> and as the interlocutor of the Commission, including for <u>information on</u> aspects related to the protection of personal data <u>according to this Regulation</u> ;	(b) acting as the main contact point for issues related to IMI <u>for IMI actors of the Member States</u> including for <u>information on</u> aspects related to the protection of personal data <u>according to this Regulation</u>
		(ba) <u>acting as interlocutor of the Commission for issues related to IMI, including for information on aspects related to the protection of personal data according to this Regulation</u> ;	(ba) <u>acting as interlocutor of the Commission for issues related to IMI, including for information on aspects related to the protection of personal data according to this Regulation</u> ;
(c) providing knowledge, training and <u>support</u> , including technical support, to <u>competent authorities and IMI users</u> ;		(c) providing knowledge, training and support, including <i>basic</i> technical support assistance , to competent authorities and IMI users <i>IMI actors of</i>	(c) providing knowledge, training and support, including <i>basic</i> technical support assistance , to competent authorities and IMI users <i>IMI actors of</i>

		<i>the Member States;</i>	<i>the Member States;</i>
(d) ensuring the efficient functioning of the system, including timely and adequate responses by competent authorities to requests for administrative cooperation.		(d) ensuring the efficient functioning of the system <i>to the best of their ability and as far as it is within their control</i> , including timely and adequate responses by competent authorities IMI actors of the Member States to requests for administrative cooperation.	(d) ensuring the efficient functioning of the system <i>to the best of their ability and as far as it is within their control</i> , including timely and adequate responses by competent authorities IMI actors of the Member States to requests for administrative cooperation.
2. Each Member State may additionally appoint one or more IMI coordinators in order to carry out one or more of the above tasks, according to its internal administrative structure.			
3. Member States shall inform the Commission of the IMI coordinators appointed in accordance with paragraphs 1 and 2 and of the tasks for which they shall be responsible. The Commission shall share this information with other Member States.		3. Member States shall inform the Commission of the IMI coordinators appointed in accordance with paragraphs 1 and 2 and of the tasks for which they shall be responsible. The Commission shall share this information with <i>the</i> other Member States.	3. Member States shall inform the Commission of the IMI coordinators appointed in accordance with paragraphs 1 and 2 and of the tasks for which they shall be responsible. The Commission shall share this information with <i>the</i> other Member States.
<u>4. Member States shall ensure that IMI coordinators have adequate resources to perform their duties in accordance with this Regulation.</u>		<i>4. Member States shall ensure that IMI coordinators have adequate resources to perform their duties in accordance with this Regulation.</i>	<i>4. Member States shall ensure that IMI coordinators have adequate resources to perform their duties in accordance with this Regulation.</i>
5. All IMI coordinators may act as competent authorities. In such cases an IMI coordinator shall have the same access rights as a competent authority. Each IMI coordinator shall be a controller with respect to its own data processing activities as an IMI actor.		5. All IMI coordinators may act as competent authorities. In such cases an IMI coordinator shall have the same access rights as a competent authority. Each IMI coordinator shall be a controller with respect to its own data processing activities as provided for in Article 8(3) an IMI actor.	5. All IMI coordinators may act as competent authorities. In such cases an IMI coordinator shall have the same access rights as a competent authority. Each IMI coordinator shall be a controller with respect to its own data processing activities as an IMI actor.
Article 8			

Competent authorities			
	<i>-1. Competent authorities shall fulfil their obligations under this Regulation in the same way as they would if acting at the request of another competent authority within their own Member State.</i>		deleted
1. When cooperating by means of IMI, the competent authorities shall ensure that <i>an adequate</i> response is provided <i>within</i> the <i>shortest possible period</i> of <i>time or</i> within the deadline set <i>by the applicable Union act</i> , acting through IMI users in accordance with administrative cooperation procedures.	1. When cooperating by means of IMI, the competent authorities shall ensure that <i>a</i> response is provided <i>without delay, subject to the provisions of, and</i> within the deadline set by, the applicable <i>legal act of the Union</i> , acting through IMI users in accordance with administrative cooperation procedures.	1. When cooperating by means of IMI, the competent authorities shall ensure that <i>in accordance with the applicable Union act</i> , an adequate response is provided within the shortest possible period of time <i>or and in any case</i> within the deadline set by the applicable Union <i>that act</i> , acting through IMI users in accordance with administrative cooperation procedures.	1. When cooperating by means of IMI, the competent authorities shall ensure that <i>in accordance with the applicable Union act</i> , an adequate response is provided within the shortest possible period of time or and in any case within the deadline set by the applicable Union <i>that act</i> , acting through IMI users in accordance with administrative cooperation procedures.
2. <u>Competent authorities</u> may invoke as evidence any information, documents, findings, statements, certified true copies <u>or intelligence communicated</u> by means of IMI, on the same basis as similar <u>documents</u> obtained in their own country, for purposes compatible with the purposes for which the data was originally collected.		2. A Competent authorities may invoke as evidence any information, documents, findings, statements, or certified true copies or intelligence communicated <i>which it has received electronically</i> by means of IMI, on the same basis as similar documents <i>information</i> obtained in their own country, for purposes compatible with the purposes for which the data was originally collected.	2. <u>A competent authority</u> may invoke as evidence any information, documents, findings, statements or certified true copies <u>which it has received electronically</u> by means of IMI, on the same basis as similar <u>information</u> obtained in their own country, for purposes compatible with the purposes for which the data was originally collected.
3. Each competent authority shall be a controller with respect to its own data processing activities performed by an IMI user under its authority and shall ensure that data subjects can exercise their rights in accordance with Chapters III and IV, where <u>appropriate</u> .		3. Each competent authority shall be a controller with respect to its own data processing activities performed by an IMI user under its authority and shall ensure that data subjects can exercise their rights in accordance with Chapters III and IV, where appropriate <u>necessary, in cooperation with the Commission</u> .	3. Each competent authority shall be a controller with respect to its own data processing activities performed by an IMI user under its authority and shall ensure that data subjects can exercise their rights in accordance with Chapters III and IV, where <u>necessary, in cooperation with the Commission</u> .

<u>4. Member States shall ensure that competent authorities have adequate resources to perform their duties in accordance with this Regulation.</u>		4. Member States shall ensure that competent authorities have adequate resources to perform their duties in accordance with this Regulation.	4. Member States shall ensure that competent authorities have adequate resources to perform their duties in accordance with this Regulation.
Article 9 Commission			
	1. The Commission shall <i>be responsible for carrying out the following tasks:</i>	1. The Commission shall:	1. The Commission shall <i>be responsible for carrying out the following tasks:</i>
1. The Commission shall <i>ensure the security, availability, maintenance and development of the software and IT infrastructure for IMI. It shall provide a multilingual system, training in cooperation with the Member States, and a helpdesk to assist Member States in the use of IMI.</i>	(a) to ensure the security, availability, maintenance and development of the software and IT infrastructure for IMI. It shall provide a multilingual system, <i>translation functionalities</i> , training in cooperation with the Member States, and a helpdesk to assist Member States in the use of IMI;	a) ensure the security, availability, maintenance and development of the software and IT infrastructure for IMI; b) provide a multilingual system, training in cooperation with Member States, and a helpdesk to assist Member States in the use of IMI;	a) ensure the security, availability, maintenance and development of the software and IT infrastructure for IMI; b) provide a multilingual system, including existing translation functionalities , training in cooperation with Member States, and a helpdesk to assist Member States in the use of IMI;
<u>2. The Commission may participate in administrative cooperation procedures involving the processing of personal data where required by a Union act listed in Annex I.</u>	(b) to participate in administrative cooperation procedures involving the processing of personal data where required by a <i>legal act of the</i> Union listed in <i>the</i> Annex;	2. The Commission may participate in administrative cooperation procedures involving the processing of personal data where required by a Union act listed in Annex I.	deleted
<u>3. The Commission shall</u> register the national IMI coordinators and shall grant them access to IMI.	(c) to register the national IMI coordinators and shall grant them access to IMI;	c)3. The Commission shall register the national IMI coordinators and shall grant them access to IMI;	c) to register the national IMI coordinators and shall grant them access to IMI;
<u>4. The Commission shall</u> perform processing operations on personal data in IMI where provided for in this Regulation.	(d) to perform processing operations on personal data in IMI where provided for in this Regulation <i>in accordance with the purposes determined by the applicable legal acts of the Union listed in the Annex;</i>	d)4.The Commission shall perform processing operations on personal data in IMI where provided for in this Regulation.	(d) to perform processing operations on personal data in IMI where provided for in this Regulation <i>in accordance with the purposes determined by the applicable legal acts of the Union listed in the Annex;</i>

	<i>(e) to monitor the application of this Regulation and report back to the European Parliament, the Council and the European Data Protection Supervisor in accordance with Article 26.</i>		<i>(e) to monitor the application of this Regulation and report back to the European Parliament, the Council and the European Data Protection Supervisor in accordance with Article 26.</i>
5. For the purposes of performing its tasks <u>under this Article</u> and for producing reports <u>and statistics</u> , the Commission shall have access to the necessary information relating to the processing operations performed in IMI.	5. For the purposes of performing its tasks under this Article and for producing reports and statistics, the Commission shall have access to the necessary information relating to the processing operations performed in IMI.	5. For the purposes of performing its tasks <i>listed in paragraph 1</i> under this Article and for producing <i>statistical</i> reports and statistics , the Commission shall have access to the necessary information relating to the processing operations performed in IMI.	5. For the purposes of performing its tasks <i>listed in paragraph 1</i> and for producing <i>statistical</i> reports, the Commission shall have access to the necessary information relating to the processing operations performed in IMI.
		<u>5a. The Commission shall not participate in administrative cooperation procedures involving the processing of personal data unless where required by the provision of a Union act listed in the Annex.</u>	<u>5a. The Commission shall not participate in administrative cooperation procedures involving the processing of personal data except where required by the provision of a Union act listed in the Annex.</u>
Article 10 Access rights of IMI actors and users			
1. Only IMI users <u>duly authorised by and acting on behalf of an IMI actor</u> shall have access to IMI.		1. Only IMI users <i>duly authorised by and acting on behalf of an IMI actor</i> shall have access to IMI.	1. Only IMI users shall have access to IMI.
2. Member States, <u>in cooperation with the Commission</u> , shall designate the IMI coordinators and competent authorities and the internal market areas in which they have competence.	2. Member States shall designate the IMI coordinators and competent authorities and the internal market areas in which they have competence. <i>The Commission may play a consultative role in that process.</i>	2. Member States, in cooperation with the Commission , shall designate the IMI coordinators and competent authorities and the internal market areas in which they have competence.	2. Member States shall designate the IMI coordinators and competent authorities and the internal market areas in which they have competence. <i>The Commission may play a consultative role in that process.</i>
3. Each IMI actor shall grant and revoke, as necessary, appropriate access rights to			

its IMI users in the internal market area for which it is competent.			
4. Appropriate technical means shall be put in place to ensure that IMI users are able to access personal data processed in IMI only on a need-to-know basis and within the internal market area or areas for which they were granted access rights in accordance with paragraph 3.		4. Appropriate technical means shall be put in place by the Commission and the Member States to ensure that IMI users are able allowed to access personal data processed in IMI only on a need-to-know basis and within the internal market area or areas for which they were granted access rights in accordance with paragraph 3.	4. Appropriate means shall be put in place by the Commission and the Member States to ensure that IMI users are allowed to access personal data processed in IMI only on a need-to-know basis and within the internal market area or areas for which they were granted access rights in accordance with paragraph 3.
5. The use of personal data processed by means of IMI for a specific purpose in a way incompatible with that original purpose shall be prohibited, unless explicitly provided for by law.		5. The use of personal data processed by means of in IMI for a specific purpose in a way incompatible with that original purpose shall be prohibited, unless explicitly provided for by national law in conformity with Union law .	5. The use of personal data processed in IMI for a specific purpose in a way incompatible with that original purpose shall be prohibited, unless explicitly provided for by national law in conformity with Union law .
6. Where an administrative cooperation procedure involves the processing of personal data, only the IMI users participating in that procedure shall have access to such personal data.		6. Where an administrative cooperation procedure involves the processing of personal data, only the IMI users actors participating in that procedure shall have access to such personal data.	6. Where an administrative cooperation procedure involves the processing of personal data, only the IMI actors participating in that procedure shall have access to such personal data.
7. External actors may use IMI with the technical means provided for this purpose, where necessary to facilitate <u>administrative cooperation between competent authorities in Member States</u> , or in order to exercise their rights as data subjects, or where otherwise provided for by a <u>Union act</u> .	7. External actors may interact with IMI only through a separate technical system provided strictly for this purpose, where necessary to facilitate administrative cooperation between competent authorities in Member States, or in order to exercise their rights as data subjects, or where otherwise provided for by a legal act of the Union . External actors shall only have access to a public interface, which is technically separate from the IMI application and does not provide access to personal data	7. External actors may use IMI with the technical means provided for this purpose, where necessary to facilitate administrative cooperation between competent authorities in Member States, or in order to exercise their rights as data subjects, or where otherwise provided for by a Union act.	deleted

	<i>exchange between competent authorities.</i>		
Article 11 Confidentiality			
1. Each Member State shall apply its rules of professional secrecy or other equivalent duties of confidentiality to its IMI actors and IMI users, in accordance with national legislation.		1. Each Member State shall apply its rules of professional secrecy or other equivalent duties of confidentiality to its IMI actors and IMI users, in accordance with national <i>or Union</i> legislation.	1. Each Member State shall apply its rules of professional secrecy or other equivalent duties of confidentiality to its IMI actors and IMI users, in accordance with national <i>or Union</i> legislation.
2. IMI actors shall ensure that requests of other IMI actors for confidential treatment of information exchanged by means of IMI are <i>complied with</i> by IMI users working under their authority.	2. IMI actors shall ensure that requests of other IMI actors for confidential treatment of information exchanged by means of IMI are <i>respected</i> by IMI users working under their authority.	2. IMI actors shall ensure that requests of other IMI actors for confidential treatment of information exchanged by means of IMI are <i>complied with respected</i> by IMI users working under their authority.	2. IMI actors shall ensure that requests of other IMI actors for confidential treatment of information exchanged by means of IMI are <i>respected</i> by IMI users working under their authority.
Article 12 Administrative cooperation procedures			
IMI shall be based on administrative cooperation procedures <u>developed and updated for that purpose by the Commission, in close cooperation with the Member States.</u>	IMI shall be based on administrative cooperation procedures <i>defined</i> , developed and updated for that purpose by the Commission in close cooperation with the Member States.	IMI shall be based on administrative cooperation procedures implementing the provisions-requirements for administrative cooperation set out in the relevant Union acts listed in the Annex. Where appropriate, the Commission may adopt implementing acts for a specific Union act listed in the Annex or for a type of administrative cooperation procedure, setting out the basic technical functionality and the procedural arrangements required to enable the operation of the relevant administrative cooperation procedures, including where applicable the interaction between external actors and IMI as referred to in Article 12a. Those	IMI shall be based on administrative cooperation procedures <u>implementing the provisions in the relevant Union acts listed in the Annex. Where appropriate, the Commission may adopt implementing acts for a specific Union act listed in the Annex or for a type of administrative cooperation procedure, setting out the essential technical functionality and the procedural arrangements required to enable the operation of the relevant administrative cooperation procedures, including where applicable the interaction between external actors and IMI as referred to in Article 12a. Those implementing</u>

		implementing acts shall be adopted in accordance with the advisory procedure laid down in Article 22a(2).	acts shall be adopted in accordance with the advisory procedure referred to in Article 22a(2).
		<u>Article 12a</u> <u>External actors</u>	<u>Article 12a</u> <u>External actors</u>
		<u>Technical means may be provided to allow eExternal actors may to interact with IMI with the technical means provided for this purpose in the following cases: where necessary to facilitate administrative cooperation between competent authorities in Member States, or in order to exercise their rights as data subjects, or where otherwise provided for by a Union act.</u>	<u>Technical means may be provided to allow external actors to interact with IMI -in the following cases:</u>
		<u>a) such interaction is provided for by a Union act;</u>	<u>a) such interaction is provided for by a Union act;</u>
		<u>b) such interaction is provided for in an implementing act in accordance with Article 12 in order to facilitate administrative cooperation between competent authorities in Member States for the application of the provisions of Union acts listed in the Annex; or</u>	<u>b) such interaction is provided for in an implementing act referred to in Article 12 in order to facilitate administrative cooperation between competent authorities in Member States for the application of the provisions of Union acts listed in the Annex; or</u>
		<u>c) such interaction is necessary for submitting requests in order to exercise their rights as data subjects in accordance with the provisions of Article 18.</u>	<u>c) such interaction is necessary for submitting requests in order to exercise their rights as data subjects in accordance with the provisions of Article 18.</u>
		<u>Any such technical means shall be separate from the IMI application and shall not provide access to personal data exchange between competent</u>	<u>Any such technical means shall be separate from the IMI application and shall not enable external actors to</u>

		<u>authorities enable external actors to access the IMI system</u>	access the IMI system
Chapter III DATA PROCESSING AND SECURITY		Chapter III DATA PROCESSING OF PERSONAL DATA AND SECURITY	
		<u>Article 12b</u> General Purpose limitation	Article -13 Purpose limitation
		<i>IMI actors shall exchange and process personal data only for the purposes defined in the relevant provisions of Union acts as referred to listed in the Annex-I.</i>	IMI actors shall exchange and process personal data only for the purposes defined in the relevant provisions of Union acts listed in the Annex.
			Data submitted by data subjects to IMI shall only be used for the purposes for which the data were submitted.
Article 13 Retention of personal data		<i>Article 13</i> Retention of personal data	
1. Personal data processed in IMI shall be blocked <i>at the latest</i> eighteen months after the formal closure of an administrative cooperation procedure, unless blocking before that period is expressly requested by a competent authority, on a case-by-case basis.	1. Personal data processed in IMI shall be blocked <i>in the system after a period of no longer than</i> eighteen months after the formal closure of an administrative cooperation procedure, unless blocking before that period is expressly requested by a competent authority, on a case-by-case basis, <i>or on the basis of the applicable legal act of the Union..</i>	1. Personal data processed in IMI shall be blocked <u>in the system as soon as they are no longer necessary for the purpose for which they were collected, depending on the specificities of each type of administrative cooperation, and, as a general rule, no later than six months after the formal closure of the administrative cooperation procedure.</u>	1. Personal data processed in IMI shall be blocked in the system as soon as they are no longer necessary for the purpose for which they were collected, depending on the specificities of each type of administrative cooperation, and, as a general rule, no later than six months after the formal closure of the administrative cooperation procedure.

		<p><u>The period after which personal data processed in IMI shall be blocked in the system at the latest may, however, be extended to no longer than</u> eighteen months after the formal closure of an administrative cooperation procedure, <u>if such longer period and which is provided for determined:</u> unless blocking before that period is expressly requested by a competent authority, on a case-by-case basis.</p>	<p>However, if a longer period is provided for <i>in an applicable Union act listed in the Annex</i>, personal data processed in IMI may be retained for <i>a maximum of eighteen months</i> after the formal closure of an administrative cooperation procedure.</p>
		<p><u>a) in, or on the basis of, the applicable Union act; or</u></p>	<p><i>deleted</i></p>
		<p><u>b) in an implementing act adopted in accordance with the examination procedure referred to in Article 22a(3), based on an assessment of the need for personal data to remain available after formal closure, for a specific type of administrative cooperation, and including the conditions under which personal data may be deleted before the expiry of the applicable retention period at the express request of a competent authority in a specific case.</u>or</p>	<p><i>deleted</i></p>
			<p>1a. Personal data may be deleted before the expiry of the applicable retention period at the express request of a competent authority in a specific case with the consent of the data subject.</p>
<p>2. Where an administrative cooperation procedure in IMI <u>establishes</u> a repository of information for future reference by IMI actors, the personal data included in such a repository may be</p>	<p>2. Where an administrative cooperation procedure in IMI establishes a repository of information for future reference by IMI actors, the personal data included in such a repository may be processed for</p>	<p>2. Where an administrative cooperation procedure in IMI, <i>as defined by a Union act</i>, establishes <i>requires</i> a repository of information for future reference by IMI actors, the personal data included in such</p>	<p><i>2. Where a repository of information for future reference by IMI actors is required pursuant to a binding Union act listed in the Annex</i>, the personal data included in such a repository may be</p>

processed for as long as it is needed for this purpose either with the consent of the data subject or where this is necessary to comply with a Union act.	as long as it is needed for this purpose either with the consent of the data subject or where this is necessary to comply with a legal act of the Union. <i>The storage of personal data included in the repository shall comply with the provisions of data protection set out in Union legislation, in particular in point (e) of Article 6(1) of Directive 95/46/EC and point (e) of Article 4(1) of Regulation 45/2001.</i>	a repository may be processed for as long as it is needed for this purpose either with the consent of the data subject or where this is necessary to comply with a Union act.	processed for as long as it is needed for this purpose either with the consent of the data subject or where this <i>is provided for in that</i> Union act.
3. Personal data blocked pursuant to this Article shall, with the exception of their storage, only be processed for purposes of proof of an information exchange by means of IMI, or with the data subject's consent.			3. Personal data blocked pursuant to this Article shall, with the exception of their storage, only be processed for purposes of proof of an information exchange by means of IMI with the data subject's consent, <i>unless processing is requested for overriding reasons in the public interest.</i>
4. The blocked data shall be automatically deleted after five years have elapsed from the closure of the administrative cooperation procedure.		4. The blocked data shall be automatically deleted <i>in the system</i> after five three years have elapsed from the <i>formal</i> closure of the administrative cooperation procedure.	4. The blocked data shall be automatically deleted <i>in the system</i> after five three years have elapsed from the <i>formal</i> closure of the administrative cooperation procedure.
5. The Commission shall ensure by technical means the blocking and deletion of personal data and their retrieval in accordance with paragraph 3.			
	<i>5a. Where a case has been inactive for six months, or not formally closed after six months, IMI users and actors shall receive an automatic notification that the case has been inactive.</i>		<i>5a.</i> Technical means shall be put in place to encourage IMI actors to formally close administrative cooperation procedures as soon as possible after the exchange of information has been completed and to enable them to involve IMI coordinators responsible in any procedure which has been inactive without justification for longer than two months.

Article 14			
Retention of personal data of IMI users			
1. By derogation from Article 13, paragraphs 2 and 3 shall apply to the retention of personal data of IMI users.		1. By derogation from Article 13, paragraphs 2 and 3 shall apply to the retention of personal data of IMI users. <i>These personal data shall include the full name and all electronic and other means of contact necessary for the purposes of this Regulation.</i>	1. By way of derogation from Article 13, paragraphs 2 and 3 of this Article shall apply to the retention of personal data of IMI users. <i>These personal data shall include the full name and all electronic and other means of contact necessary for the purposes of this Regulation.</i>
2. Personal data relating to IMI users shall be stored in IMI as long as they continue to be users of IMI and may be processed for purposes compatible with the objectives of this Regulation. <u>These personal data shall include the full name and all electronic and other means of contact necessary for the purposes of this Regulation.</u>		2. Personal data relating to IMI users shall be stored in IMI as long as they continue to be users of IMI and may be processed for purposes compatible with the objectives of this Regulation. <i>These personal data shall include the full name and all electronic and other means of contact necessary for the purposes of this Regulation.</i>	2. Personal data relating to IMI users shall be stored in IMI as long as they continue to be users of IMI and may be processed for purposes compatible with the objectives of this Regulation.
3. When a natural person ceases to be an IMI user, the personal data relating to him or her shall be blocked by technical means for a period of <u>five</u> years. They shall, with the exception of their storage, only be processed for purposes of proof of an information exchange by means of IMI and shall be deleted at the end of the <u>five</u> -year period.		3. When a natural person ceases to be an IMI user, the personal data relating to him or her shall be blocked by technical means for a period of five <u>three</u> years. They shall, with the exception of their storage, only be processed for purposes of proof of an information exchange by means of IMI and shall be deleted at the end of the five <u>three</u> -year period.	3. When a natural person ceases to be an IMI user, the personal data relating to him or her shall be blocked by technical means for a period of five <u>three</u> years. They shall, with the exception of their storage, only be processed for purposes of proof of an information exchange by means of IMI and shall be deleted at the end of the five <u>three</u> -year period.
Article 15			
Processing of special categories of data			
1. The processing of special categories of data referred to in Article 8(1) of Directive 95/46/EC and Article 10(1) of Regulation (EC) 45/2001 by means of		1. The processing of special categories of data referred to in Article 8(1) of Directive 95/46/EC and Article 10(1) of Regulation (EC) 45/2001 by means of	1. The processing of special categories of data referred to in Article 8(1) of Directive 95/46/EC and Article 10(1) of Regulation (EC) 45/2001 by means of

IMI shall be allowed only on the basis of a specific ground mentioned in Article 8(2) of the Directive and Article 10(2) of the Regulation and with appropriate safeguards to ensure the rights of individuals whose personal data are processed.		IMI shall be allowed only on the basis of a specific ground mentioned in Articles 8(2) and 8(4) of the that Directive and Article 10(2) of the that Regulation and subject to appropriate safeguards provided for in those Articles with appropriate safeguards to ensure the rights of individuals whose personal data are processed.	IMI shall be allowed only on the basis of a specific ground mentioned in Articles 8(2) and 8(4) of that Directive and Article 10(2) of that Regulation and subject to appropriate safeguards provided for in those Articles to ensure the rights of individuals whose personal data are processed.
2. IMI may be used for the processing of data relating to offences, criminal convictions or security measures referred to in Article 8(5) of Directive 95/46/EC and Article 10(5) of Regulation (EC) 45/2001, including information on disciplinary, administrative or criminal sanctions or other information necessary to establish the good repute of an individual or a legal person, where the processing of such data is provided for in a Union act constituting the basis for the processing or with the explicit consent of the data subject, subject to appropriate specific safeguards.		2. IMI may be used for the processing of data relating to offences, criminal convictions or security measures referred to in Article 8(5) of Directive 95/46/EC and Article 10(5) of Regulation (EC) 45/2001, subject to safeguards provided for in those Articles , including information on disciplinary, administrative or criminal sanctions or other information necessary to establish the good repute of an individual or a legal person, where the processing of such data is provided for in a Union act constituting the basis for the processing or with the explicit consent of the data subject, subject to appropriate specific safeguards referred to in Article 8(5) of Directive 95/46/EC .	2. IMI may be used for the processing of data relating to offences, criminal convictions or security measures referred to in Article 8(5) of Directive 95/46/EC and Article 10(5) of Regulation (EC) 45/2001, subject to safeguards provided for in those Articles , including information on disciplinary, administrative or criminal sanctions or other information necessary to establish the good repute of an individual or a legal person, where the processing of such data is provided for in a Union act constituting the basis for the processing or with the explicit consent of the data subject, subject to specific safeguards referred to in Article 8(5) of Directive 95/46/EC .
Article 16 Security			
1. <u>The processing of personal data under this Regulation shall comply</u> with the rules on data security adopted by the Commission further to Article 22 of Regulation (EC) No 45/2001.	1. The <i>Commission shall ensure that</i> personal data <i>processed in IMI complies</i> with the rules on data security adopted by the Commission further to Article 22 of Regulation (EC) No 45/2001.	1. The processing of personal data under this Regulation shall The <i>Commission shall ensure that IMI complies</i> with the rules on data security adopted by the Commission further to Article 22 of Regulation (EC) No 45/2001.	1. <i>The Commission shall ensure that IMI complies</i> with the rules on data security adopted by the Commission further to Article 22 of Regulation (EC) No 45/2001.

2. The Commission shall put in place the necessary measures to ensure security of personal data processed in IMI, including appropriate data access control and a security plan which shall be kept up-to-date.			
3. The Commission shall ensure that, in case of a security incident, it is possible to verify what personal data has been processed in IMI, when, by whom and for what purpose.			
		<u>4. IMI actors shall take all procedural and organisational measures necessary to ensure the security of personal data processed by them in IMI in accordance with Article 17 of Directive 95/46/EC..</u>	<u>4. IMI actors shall take all procedural and organisational measures necessary to ensure the security of personal data processed by them in IMI in accordance with Article 17 of Directive 95/46/EC.</u>
Chapter IV RIGHTS OF DATA SUBJECTS AND SUPERVISION			
Article 17 Information to data subjects and transparency			
1. IMI actors shall ensure that data subjects are informed about processing of their personal data in IMI and that they have access to <u>a privacy notice</u> explaining their rights and how to exercise them, in accordance with Articles 10 or 11 of Directive <u>1995/46/EC</u> and national legislation which is in accordance with that Directive.	1. IMI actors shall ensure that data subjects are informed about processing of their personal data in IMI <i>within 30 days of such processing</i> and that they have access to a privacy notice explaining their rights and how to exercise them, <i>including the contact person and that person's contact details throughout the lifespan of their data in IMI,</i> in accordance with Articles 10 or	1. IMI actors shall ensure that data subjects are informed about processing of their personal data in IMI and that they have access to a privacy notice <u>information</u> explaining their rights and how to exercise them, in accordance with Articles 10 or 11 of Directive 1995/46/EC and national legislation which is in accordance with that Directive.	1. IMI actors shall ensure that data subjects are informed about processing of their personal data in IMI <i>within 30 days of such processing</i> <i>as soon as possible</i> and that they have access to a privacy notice <u>information</u> explaining their rights and how to exercise them, <i>including the identity and contact details of the controller and of his representative, if any, the contact</i>

	11 of Directive 1995/46/EC and national legislation which is in accordance with that Directive.		person and that person's contact details throughout the lifespan of their data in IMI, in accordance with Articles 10 or 11 of Directive 1995/46/EC and national legislation which is in accordance with that Directive.
	<i>1a. Data submitted by data subjects to IMI shall only be used for the purposes for which the data were submitted. Data subjects' consent shall also be required for extension of the use of those data to new areas or workflows.</i>		deleted
2. The Commission shall make publicly available:		2. The Commission shall make publicly available <u>in a way which is easily accessible</u> :	2. The Commission shall make publicly available <u>in a way which is easily accessible</u> :
(a) <u>a comprehensive privacy notice</u> concerning IMI in accordance with Articles <u>10</u> and <u>11</u> of Regulation (EC) No 45/2001, in a clear and understandable form;		(a) a comprehensive privacy notice <u>information</u> concerning IMI in accordance with Articles 10 11 and 11 12 of Regulation (EC) No 45/2001, in a clear and understandable form;	(a) <u>information</u> concerning IMI in accordance with Articles <u>11</u> and <u>12</u> of Regulation (EC) No 45/2001, in a clear and understandable form;
(b) information on the data protection aspects of administrative cooperation procedures in IMI as referred to in Article 12;			
(c) information on exceptions to or limitations of data subjects' rights as referred to in Article 19.			
	<i>(ca) types of administrative cooperation procedures, all IMI functionalities and categories of data that may be processed in IMI.</i>		(ca) types of administrative cooperation procedures, <i>essential</i> IMI functionalities and categories of data that may be processed in IMI.
		<u>(d) a comprehensive list of all implementing or delegated acts regarding IMI, based on this</u>	<u>(d) a comprehensive list of all implementing or delegated acts regarding IMI, based on this</u>

		<u>Regulation or on another Union act, and a consolidated version of the Annex to this Regulation and its subsequent amendments by other Union acts.</u>	<u>Regulation or on another Union act, and a consolidated version of the Annex to this Regulation and its subsequent amendments by other Union acts.</u>
Article 18 Right of access, correction and erasure			
1. IMI actors shall ensure that the data subject may effectively exercise the right of access to data relating to him or her, and the right to have inaccurate or incomplete data corrected and unlawfully processed data deleted, in accordance with national legislation. The correction and deletion shall be carried out <u>within 60 days</u> by the IMI actor responsible.	1. IMI actors shall ensure that the data subject may effectively exercise the right of access to data relating to him or her <i>in IMI</i> , and the right to have inaccurate or incomplete data corrected and unlawfully processed data deleted, in accordance with national legislation. The correction and deletion shall be carried out <i>as soon as possible, and at the latest 30 days after the request of data subject is received</i> , by the IMI actor responsible.	1. IMI actors shall ensure that the data subject may effectively exercise the right of access to data relating to him or her <i>in IMI</i> , and the right to have inaccurate or incomplete data corrected and unlawfully processed data deleted, in accordance with national legislation. The correction and deletion shall be carried out within 60 days <i>as soon as possible but no later than within 30 days after the request is received</i> by the IMI actor responsible.	1. IMI actors shall ensure that the data subject may effectively exercise the right of access to data relating to him or her <i>in IMI</i> , and the right to have inaccurate or incomplete data corrected and unlawfully processed data deleted, in accordance with national legislation. The correction and deletion shall be carried out <i>as soon as possible, and at the latest 30 days after the request of data subject is received</i> , by the IMI actor responsible.
<u>2. Personal data blocked pursuant to Article 13(1) shall not be rectified or deleted unless it can be clearly demonstrated that such rectification or deletion is necessary to protect the rights of the data subject and does not undermine their value as proof of an information exchange by means of IMI.</u>		2. Personal data blocked pursuant to Article 13(1) shall not be rectified or deleted unless it can be clearly demonstrated that such rectification or deletion is necessary to protect the rights of the data subject and does not undermine their value as proof of an information exchange by means of IMI.	deleted
3. Where the accuracy or lawfulness of data blocked pursuant to Article 13(1) is contested by the data subject, this fact shall be recorded as well as the accurate, corrected information.			
Article 19			

Exceptions and limitations			
Where Member States provide for exceptions to or limitations of data subjects' rights set out in this Chapter in national legislation in accordance with Article 13 of Directive 95/46/EC, they shall inform the Commission thereof.			
Article 20 Supervision			
1. The national supervisory authority or authorities designated in each Member State and endowed with the powers referred to in Article 28 of Directive 95/46/EC (the 'National Supervisory Authority') shall monitor the lawfulness of the processing of personal data by the <u>competent authorities within their territory</u> and in particular shall ensure that the rights of data subjects set out in this Chapter are <u>respected</u> .		1. The national supervisory authority or authorities designated in each Member State and endowed with the powers referred to in Article 28 of Directive 95/46/EC (the 'National Supervisory Authority') shall <i>independently</i> monitor the lawfulness of the processing of personal data by the competent authorities <i>IMI actors of their Member State within their territory</i> and in particular shall ensure that the rights of data subjects set out in this Chapter are <i>protected in accordance with this Regulation respected</i> .	1. The national supervisory authority or authorities designated in each Member State and endowed with the powers referred to in Article 28 of Directive 95/46/EC (the 'National Supervisory Authority') shall <i>independently</i> monitor the lawfulness of the processing of personal data by the <i>IMI actors of their Member State</i> and in particular shall ensure that the rights of data subjects set out in this Chapter are <i>protected in accordance with this Regulation</i> .
2. The European Data Protection Supervisor shall ensure that the personal data processing activities of the Commission in its role as an IMI actor are carried out in accordance with this Regulation. The duties and powers referred to in Articles 46 and 47 of Regulation (EC) No 45/2001 shall apply accordingly.		2. The European Data Protection Supervisor shall <i>monitor and</i> ensure that the personal data processing activities of the Commission in its role as an IMI actor are carried out in accordance with this Regulation. The duties and powers referred to in Articles 46 and 47 of Regulation (EC) No 45/2001 shall apply accordingly.	2. The European Data Protection Supervisor shall <i>monitor and seek to</i> ensure that the personal data processing activities of the Commission in its role as an IMI actor are carried out in accordance with this Regulation. The duties and powers referred to in Articles 46 and 47 of Regulation (EC) No 45/2001 shall apply accordingly.
3. The National Supervisory Authorities and the European Data Protection		3. The National Supervisory Authorities and the European Data Protection	3. The National Supervisory Authorities and the European Data Protection Supervisor, each acting within the scope

Supervisor, each acting within the scope of their respective competences, shall ensure coordinated supervision of the IMI system and its use by <u>competent authorities in Member States</u> .		Supervisor, each acting within the scope of their respective competences, shall ensure coordinated supervision of the IMI system and its use by <u>competent authorities IMI actors in Member States</u> .	of their respective competences, shall ensure coordinated supervision of the IMI system and its use by <u>IMI actors</u> .
The European Data Protection Supervisor may invite the National Supervisory Authorities to meet for that purpose when necessary. The costs of these meetings shall be for the account of the European Data Protection Supervisor. Further working methods for this purpose, including rules of procedure, may be developed jointly as necessary. A joint report of activities shall be sent to the European Parliament, the Council and the Commission at least every three years.		4. The European Data Protection Supervisor may invite the National Supervisory Authorities to meet for that purpose when necessary. The costs of these meetings shall be for the account of the European Data Protection Supervisor. Further working methods for this purpose, including rules of procedure, may be developed jointly as necessary. A joint report of activities shall be sent to the European Parliament, the Council and the Commission at least every three years.	4. The European Data Protection Supervisor may invite the National Supervisory Authorities to meet for that purpose when necessary. The costs of these meetings shall be for the account of the European Data Protection Supervisor. Further working methods for this purpose, including rules of procedure, may be developed jointly as necessary. A joint report of activities shall be sent to the European Parliament, the Council and the Commission at least every three years.
Chapter V			
GEOGRAPHIC SCOPE OF IMI			
Article 21			
National use of IMI			
1. A Member State may use IMI for the purpose of administrative cooperation between competent authorities within its territory in accordance with national law, on condition that:			
(a) no substantial changes to the existing administrative cooperation procedures are required; and			
(b) a notification of the envisaged use of IMI has been submitted to the National		(b) a notification of the envisaged use of IMI has been submitted to the National	(b) a notification of the envisaged use of IMI has been submitted to the National

Supervisory Authority; and		Supervisory Authority <i>where required under national law</i> ; and	Supervisory Authority <i>where required under national law</i> ; and
(c) it has no significant impact on the efficient functioning of IMI.		(c) it <i>does not have negative</i> has no significant impact on the efficient functioning of IMI <i>for the IMI users</i> .	(c) it <i>does not have negative</i> has no significant impact on the efficient functioning of IMI <i>for the IMI users</i> .
2. Where the national use of IMI is likely to have a significant impact on the efficient functioning of IMI, the Member State shall notify such use to the Commission and seek its prior approval. Where necessary, an agreement setting out inter alia the technical, financial and organisational arrangements, including the responsibilities of the IMI actors, shall be concluded between the Member State and the Commission.		2. Where <i>a Member State intends to make systematic</i> the national use of IMI <i>for national purposes, it shall notify its intention to the Commission and seek its prior approval. The Commission shall examine whether the criteria in paragraph 1 are met. is likely to have a significant impact on the efficient functioning of IMI, the Member State shall notify such use to the Commission and seek its prior approval.</i> Where necessary, <i>and in accordance with this Regulation</i> , an agreement setting out inter alia the technical, financial and organisational arrangements, including the responsibilities of the IMI actors for national use , shall be concluded between the Member State and the Commission.	2. Where <i>a Member State intends to make systematic</i> the national use of IMI <i>for national purposes, it shall notify its intention to the Commission and seek its prior approval. The Commission shall examine whether the conditions in paragraph 1 are met. is likely to have a significant impact on the efficient functioning of IMI, the Member State shall notify such use to the Commission and seek its prior approval.</i> Where necessary, <i>and in accordance with this Regulation</i> , an agreement setting out inter alia the technical, financial and organisational arrangements, including the responsibilities of the IMI actors for national use , shall be concluded between the Member State and the Commission.
Article 22 Information exchange with third countries			
1. Personal data may be exchanged in IMI pursuant to this Regulation between IMI actors within the Union and in a third country only where the following conditions are satisfied:		1. <i>Information including</i> Personal data may be exchanged in IMI pursuant to this Regulation between IMI actors within the Union and <i>their counterparts</i> in a third country only where the following conditions are satisfied:	1. <i>Information including</i> personal data may be exchanged in IMI pursuant to this Regulation between IMI actors within the Union and <i>their counterparts</i> in a third country only where the following conditions are satisfied:
(a) the data are processed pursuant to a provision listed in the Annex I and an		(a) the <i>information is</i> data are processed pursuant to a provision listed in the	(a) the <i>information is</i> processed pursuant to a provision listed in the Annex I and

equivalent provision of law of the third country;		Annex I and an equivalent provision of law of the third country;	an equivalent provision of law of the third country;
(b) the data are exchanged or made available in accordance with an international agreement providing for the application of a provision listed in Annex I by the third country; and		(b) the information is data are exchanged or made available in accordance with an international agreement providing for:	(b) the information is exchanged or made available in accordance with an international agreement providing for:
		(i) the application of a provision listed in the Annex I by the third country,	(i) the application of a provision listed in the Annex by the third country,
		(ii) <i>the use of IMI and</i>	(ii) <i>the use of IMI and</i>
		(iii) <i>the principles and modalities of that exchange;</i> and	(iii) <i>the principles and modalities of that exchange;</i> and
(c) the Commission has adopted a decision finding that the third country in question ensures adequate protection of personal data in accordance with Article 25(6) of Directive 95/46/EC, or the provision of Article 26 of Directive 95/46/EC apply, including adequate safeguards that the data processed in IMI shall only be used for the purpose for which they were initially exchanged.		(c) the Commission has adopted a decision finding that the third country in question ensures adequate protection of personal data in accordance with Article 25(26) of Directive 95/46/EC, or the provision of Article 26 of Directive 95/46/EC apply, including adequate safeguards that the data processed in IMI shall only be used for the purpose for which they were initially exchanged, and where the Commission has adopted a decision in accordance with Article 25(6) of Directive 95/46/EC.	(c) the third country in question ensures adequate protection of personal data in accordance with Article 25(2) of Directive 95/46/EC, including adequate safeguards that the data processed in IMI shall only be used for the purpose for which they were initially exchanged, and where the Commission has adopted a decision in accordance with Article 25(6) of Directive 95/46/EC.
2. Where the Commission is an IMI actor, Articles 9(1) and 9(7) of Regulation 45/2001 shall apply to any exchange of personal data processed in IMI with IMI actors in a third country.		2. Where the Commission is an IMI actor, Articles 9(1) and 9(7) of Regulation (EC) No 45/2001 shall apply to any exchange of personal data processed in IMI with IMI actors its counterparts in a third country.	2. Where the Commission is an IMI actor, Articles 9(1) and 9(7) of Regulation (EC) No 45/2001 shall apply to any exchange of personal data processed in IMI with its counterparts in a third country.
3. The Commission shall publish in the Official Journal of the European Union an updated list of third countries		3. The Commission shall publish in the Official Journal of the European Union and keep up to date a an updated list of	3. The Commission shall publish in the Official Journal of the European Union and keep up to date a an updated list of

<u>concerned by information exchanges in accordance with this Article.</u>		third countries <i>authorised in accordance with paragraph 1 concerned by information exchanges in accordance with this Article.</i>	third countries <i>authorised to exchange the information including personal data in accordance with paragraph 1.</i>
Chapter VI FINAL PROVISIONS			
		<u>Article 22a</u>	<u>Article 22a</u>
		<u>Committee procedure</u>	<u>Committee procedure</u>
		<i>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>	<i>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>
		<i>2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.</i>	<i>2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.</i>
		<i>3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</i>	<i>3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</i>
<u>Article 23</u> <u>Exercise of the delegation</u>	<i>deleted</i>	<u>deleted</u>	<u>deleted</u>
<i>1. The powers to adopt the delegated acts referred to in Article 4 shall be conferred on the Commission for an indeterminate period of time.</i>		<u>deleted</u>	<u>deleted</u>
<i>2. As soon as it adopts a delegated act,</i>	<i>deleted</i>	<u>deleted</u>	<u>deleted</u>

<u>the Commission shall notify it simultaneously to the European Parliament and to the Council.</u>			
<u>3. The powers to adopt delegated acts are conferred on the Commission subject to the conditions laid down in Articles 24 and 25.</u>	deleted	<u>deleted</u>	<u>deleted</u>
<u>Article 24</u> <u>Revocation of the delegation</u>	deleted	<u>deleted</u>	<u>deleted</u>
<u>1. The delegation of power referred to in Article 3 may be revoked by the European Parliament or by the Council..</u>	deleted	<u>deleted</u>	<u>deleted</u>
<u>2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall inform the other legislator and the Commission at the latest one month before the final decision is taken, stating the delegated powers which could be subject to revocation and the reasons for a revocation.</u>	deleted	<u>deleted</u>	<u>deleted</u>
<u>3. The decision of a revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the Official Journal of the European Union.</u>	deleted	<u>deleted</u>	<u>deleted</u>
<u>Article 25</u>	deleted	<u>deleted</u>	<u>deleted</u>

<u>Objections to delegated acts</u>			
<u>1. The European Parliament and the Council may object to the delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.</u>	<i>deleted</i>	<u>deleted</u>	<u>deleted</u>
<u>2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, or if, before that date, the European Parliament and the Council have both informed the Commission that they have decided not to raise objections, the delegated act shall enter into force at the date stated in its provisions.</u>	<i>deleted</i>	<u>deleted</u>	<u>deleted</u>
<u>3. If the European Parliament or the Council objects to the adopted delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.</u>	<i>deleted</i>	<u>deleted</u>	<u>deleted</u>
Article 26			
Monitoring and reporting			
1. The Commission shall report to the European Parliament and the Council on the functioning of IMI on a yearly basis.			
2. Every three years, the Commission shall report to the European Data Protection Supervisor on aspects relating		2. Every three five years, the Commission shall report to the European Data Protection Supervisor on aspects	2. By....* and every three five years, the Commission shall report to the European Data Protection Supervisor on aspects

* OJ please insert the date: five years after the entry into force of this Regulation.

to the protection of personal data in IMI, including data security.		relating to the protection of personal data in IMI, including data security.	relating to the protection of personal data in IMI, including data security.
3. For the purpose of producing the reports referred to in paragraphs 1 and 2, Member States shall provide the Commission, on request , with any information relevant to the application of this Regulation, including on the application in practice of the data protection requirements laid down in this Regulation.		3. For the purpose of producing the reports referred to in paragraphs 1 and 2, Member States shall provide the Commission, on request , with any information relevant to the application of this Regulation, including on the application in practice of the data protection requirements laid down in this Regulation.	3. For the purpose of producing the reports referred to in paragraphs 1 and 2, Member States shall provide the Commission, with any information relevant to the application of this Regulation, including on the application in practice of the data protection requirements laid down in this Regulation.
	<i>3a. The Commission's internal control mechanisms shall include data privacy assessments, including a security risk analysis, on the basis of which a data protection policy (including a security plan) will be adopted, as well as periodic reviews and auditing.</i>		deleted
Article 27 Costs			
1. The costs incurred for the development, operation and maintenance of IMI shall be borne by the general budget of the European Union, without prejudice to arrangements under Article 21(2).		1. The costs incurred for the development, promotion , operation and maintenance of IMI shall be borne by the general budget of the European Union, without prejudice to arrangements under Article 21(2).	1. The costs incurred for the development, promotion , operation and maintenance of IMI shall be borne by the general budget of the European Union, without prejudice to arrangements under Article 21(2).
2. Unless otherwise stipulated in a Union act, the costs for the IMI operations at Member State level, including the human resources needed for training, promotion and technical assistance (helpdesk) activities, as well as for the administration of the system at national level, shall be borne by each Member			

State.			
		<u>Article 27a</u> <u>Repeal</u> <i>Commission Decision 2008/49/EC is hereby repealed.</i>	<u>Article 27a</u> <u>Repeal</u> <i>Decision 2008/49/EC is repealed.</i>
			<u>Article 27aa</u> <u>Effective application</u> Member States shall take all necessary measures to ensure effective application of this Regulation by their IMI actors.
		<u>Article 27b</u> <u>Transitional provisions</u>	<u>Article 27b</u> <u>Miscellaneous</u>
		<u>1. Notwithstanding Article 4 of this Regulation, the IMI pilot project launched on 16 May 2011, to test the suitability of IMI for the implementation of Article 4 of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, may continue to operate on the basis of the arrangements that were made prior to the entry into force of this Regulation.</u>	<u>1. Notwithstanding Article 4 of this Regulation, the IMI pilot project launched on 16 May 2011, to test the suitability of IMI for the implementation of Article 4 of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, may continue to operate on the basis of the arrangements that were made prior to the entry into force of this Regulation.</u>
		<u>2. Notwithstanding Articles 9(5a) and 12a(b) of this Regulation, for the implementation through IMI of the administrative cooperation provisions of the Commission Recommendation of 7 December 2001 on principles for</u>	<u>2. Notwithstanding Articles 9(5a), 12a(a) and 12a(b) of this Regulation, for the implementation through IMI of the administrative cooperation provisions of the Commission Recommendation of 7 December 2001</u>

		<p><u>using ‘SOLVIT’ – the Internal Market Problem Solving Network, the involvement of the Commission in administrative cooperation procedures and the existing facility for external actors may continue on the basis of the arrangements that were made prior to the entry into force of this Regulation. The period as referred to in Article 13(1) shall be 18 months for personal data processed in IMI for the purposes of that Recommendation.</u></p>	<p><u>on principles for using ‘SOLVIT’ – the Internal Market Problem Solving Network, the involvement of the Commission in administrative cooperation procedures and the existing facility for external actors may continue on the basis of the arrangements that were made prior to the entry into force of this Regulation. The period as referred to in Article 13(1) shall be 18 months for personal data processed in IMI for the purposes of that Recommendation.</u></p>
			<p>3. By way of derogation from Article 4 (1), the Commission may launch a pilot project to assess whether IMI is an efficient, cost effective and user friendly tool to implement Article 3 (4), (5) and (6) of 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 in the Internal Market. No later than two years after the launch of that pilot project, the Commission shall submit to the European Parliament and the Council the evaluation referred to in Article 4 (2), which shall also cover the interaction between administrative cooperation within the Consumer Protection Cooperation system and within IMI.</p>
			<p>4. Notwithstanding Article 13.1, any periods up to a maximum of 18 months decided on the basis of Article 36 of Directive 2006/123/EC with regard to administrative cooperation pursuant to Chapter VI thereof shall continue to apply in that area.</p>

Article 28			
Entry into force			
This Regulation shall enter into force on the [...] day following that of its publication in the Official Journal of the European Union.		This Regulation shall enter into force on the twentieth [...] day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .
This Regulation shall be binding in its entirety and directly applicable in all Member States			
Done at [...],			
For the European Parliament The President			
For the Council The President			

COM**Annex I referred to in Article 3 listing the provisions on administrative cooperation in Union acts that are implemented by means of IMI**

1. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Chapter VI
2. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications: Articles 8, 50, 51 and 56
3. Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare: Article 10⁵

IMCO**Annex referred to in Article 3 listing the provisions on administrative cooperation in Union acts that are implemented by means of IMI**

1. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Chapter VI
2. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications: Articles 8, 50, 51 and 56
3. Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare: Article 10⁶

3a. Commission Recommendation of 7 December 2001 on principles for using 'SOLVIT' – the Internal Market Problem Solving Network: Chapters I and II⁵

⁵ OJ L 88, 04.04.2011, p.45

⁶ OJ L 88, 04.04.2011, p.45

⁵ *1 OJ L 331, 15.12.2001, p. 79*

COUNCILAnnex I

~~referred to in Article 3 listing the p~~Provisions on administrative cooperation in Union acts that are implemented by means of IMI, referred to in Article 3

1. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Chapter VI, **Article 39(5), as well as, unless such notification is made in accordance with Directive 98/34/EC, Article 15(7).**
2. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications: Articles 8, 50(1), (2) *and* (3), 54 and 56.
3. Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare: Article 10(4).
4. **Regulation (EU) No 1214/2011 of the European Parliament and of the Council of 16 November 2011 on the professional cross-border transport of euro cash by road between euro-area Member States: Article 11(2)**
5. **Commission Recommendation of 7 December 2001 on principles for using 'SOLVIT' – the Internal Market Problem Solving Network: Chapters I and II**

COMPROMISEAnnex

Provisions on administrative cooperation in Union acts that are implemented by means of IMI, referred to in Article 3

1. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Chapter VI, **Article 39(5), as well as, unless such notification is made in accordance with Directive 98/34/EC, Article 15(7).**
2. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications: Articles 8, 50(1), (2) *and* (3), 54 and 56.
3. Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare: Article 10(4).
4. **Regulation (EU) No 1214/2011 of the European Parliament and of the Council of 16 November 2011 on the professional cross-border transport of euro cash by road between euro-area Member States: Article 11(2)**
5. **Commission Recommendation of 7 December 2001 on principles for using 'SOLVIT' – the Internal Market Problem Solving Network: Chapters I and II**

COM new proposal

4. Regulation (EU) No 1214/2011 of the European Parliament and of the Council of 16 November 2011 on the professional cross-border transport of euro cash by road between euro-area Member States: Articles 10, 11, 12(1), 13(5), 13(6), 22(1), 22(2) and 23

6a. *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'); Article 3*

COMAnnex II referred to in Article 4 on potential areas in which provisions on administrative cooperation may be implemented by means of IMI**I. Internal market and free movement of goods**

- (1) Commission Recommendation of 7 December 2001 on principles for using 'SOLVIT' – the Internal Market Problem Solving Network: Chapters I and II⁷

II. Freedom of establishment and to provide services

- (1) Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Articles 15(7) and 39(5)
- (2) Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services: Article 4⁸.
- (3) 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'): Article 3⁹

[4. *Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 89/666/EEC, 2005/56/EC and 2009/101/EC as regards the interconnection of central, commercial and companies registers (COD/2011/0038)*]

III. Free movement of persons

- (1) Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare: Article 6

IV. Freedom of capital and payments

[1. *Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the professional cross border transport of euro cash by road between euro-area Member States (COD/2010/0204)*]

⁷ OJ L 331, 15.12.2001, p.79

⁸ OJ L 018, 21.1.1997, p.1

⁹ OJ L 178, 17.7.2000, p.1

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