

**Amendment 156**

**Marco Zullo, Rosa D'Amato, Rolandas Paksas**  
on behalf of the EFDD Group

**Report****A8-0077/2017****Olga Sehnalová**

Cooperation between national authorities responsible for the enforcement of consumer protection laws  
(COM(2016)0283 - C8-0194/2016 - 2016/0148(COD))

**Proposal for a regulation****Article 8 – paragraph 2 – point 1**

*Text proposed by the Commission*

*Amendment*

(1) *close down a website, domain or similar digital site, service or account or a part of it*, including by requesting a third party or other public authority to implement such measures;

(1) *Where no other effective means are available to bring about the cessation or the prohibition of the infringement* including by requesting a third party or other public authority to implement such means, *in order to prevent the risk of serious harm to the collective interests of consumers:*

*- remove content or restrict access to an online interface or to order the explicit display of a warning to consumers when accessing the online interface;*  
*- order a hosting service provider to remove, disable or restrict the access to an online interface; or*

*- where appropriate, order domain registries or registrars to delete a fully qualified domain name and allow the competent authority concerned to register it;*

*- Member States should provide for the possibility to obtain a prompt suspension of the measures implemented by national public authorities if the hosting service provider or the domain registries or registrars can demonstrate that they are not liable for the infringement and can prove that the measures implemented could cause a serious damage to their activities;*

*Justification*

*The amendment adds to the Trialogue's text a further protection to service providers domain registries or registrars who are not liable for the infringement because they have suffered a cyber-attack.*

**Amendment 157**

**Marco Zullo, Rosa D'Amato, Rolandas Paksas**  
on behalf of the EFDD Group

**Report****A8-0077/2017****Olga Sehnalová**

Cooperation between national authorities responsible for the enforcement of consumer protection laws  
(COM(2016)0283 - C8-0194/2016 - 2016/0148(COD))

**Proposal for a regulation****Article 8 – paragraph 2 – point n***Text proposed by the Commission**Amendment*

(n) order the trader responsible for the intra-Union infringement or widespread infringement to compensate consumers that have suffered harm as a consequence of *the* infringement including, *among others*, monetary compensation, offering consumers the option to terminate the contract or other measures ensuring redress to consumers who have been harmed as a result of the infringement;

(n) order the trader responsible for the intra-Union infringement, *widespread infringement with a Union dimension* to compensate consumers that have suffered harm as a consequence of *that* infringement including, *inter alia*, monetary compensation, offering consumers the option to terminate the contract or other measures ensuring redress to consumers who have been harmed as a result of the infringement;

Or. en

*Justification*

*The amendment aims at re-establishing IMCO's position on consumers' compensation, in order to give citizens a higher level of protection in case they have been harmed as result of an infringement, especially in recovering the money from the trader.*

**Amendment 158**

**Marco Zullo, Rosa D'Amato, Rolandas Paksas**  
on behalf of the EFDD Group

**Report**

**A8-0077/2017**

**Olga Sehnalová**

Cooperation between national authorities responsible for the enforcement of consumer protection laws  
(COM(2016)0283 - C8-0194/2016 - 2016/0148(COD))

**Proposal for a regulation**

**Article 8 – paragraph 2 – point o**

*Text proposed by the Commission*

*Amendment*

(o) order the restitution of profits obtained as a result of infringements, ***including an order that those profits are paid to the public purse or to a beneficiary designated by the competent authority or under national legislation;***

(o) order the restitution of profits obtained as a result of infringements;

Or. en

*Justification*

*The amendment aims at re-establishing IMCO's position on consumers' compensation, specifying the power of the national authorities to order the restitution of profits obtained by the trader as a result of infringements;*

**Amendment 159**

**Marco Zullo, Rosa D'Amato, Rolandas Paksas**  
on behalf of the EFDD Group

**Report**

**A8-0077/2017**

**Olga Sehnalová**

Cooperation between national authorities responsible for the enforcement of consumer protection laws  
(COM(2016)0283 - C8-0194/2016 - 2016/0148(COD))

**Proposal for a regulation**

**Article 47 – title**

*Text proposed by the Commission*

*Amendment*

Principles for imposing *penalties* for intra-Union and widespread infringements

Principles for imposing *sanctions* for intra-Union and widespread infringements *and widespread infringements with a Union dimension*

Or. en

*Justification*

*The amendment re-establishes Article 47 of the Commission's proposal, in order to take into account how the infringement is widespread and how many consumers have suffered when imposing sanctions.*

**Amendment 160**

**Marco Zullo, Rosa D'Amato, Rolandas Paksas**  
on behalf of the EFDD Group

**Report****A8-0077/2017****Olga Sehnalová**

Cooperation between national authorities responsible for the enforcement of consumer protection laws  
(COM(2016)0283 - C8-0194/2016 - 2016/0148(COD))

**Proposal for a regulation****Article 47 – paragraph 1 – introductory part***Text proposed by the Commission*

1. When imposing *penalties* in the context of intra-Union infringements and widespread infringements, the competent authorities shall take into account *among others*:

*Amendment*

1. When imposing *sanctions* in the context of intra-Union infringements, *widespread infringements* and widespread infringements *with a Union dimension*, the competent authorities shall take into account *inter alia*:

Or. en

*Justification*

*The amendment re-establishes Article 47 of the Commission's proposal, in order to take into account how the infringement is widespread and how many consumers have suffered when imposing sanctions.*

8.11.2017

A8-0077/161

**Amendment 161**

**Marco Zullo, Rosa D'Amato, Rolandas Paksas**  
on behalf of the EFDD Group

**Report**

**A8-0077/2017**

**Olga Sehnalová**

Cooperation between national authorities responsible for the enforcement of consumer protection laws  
(COM(2016)0283 - C8-0194/2016 - 2016/0148(COD))

**Proposal for a regulation**

**Article 47 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1 b. Those penalties shall be effective, proportionate and dissuasive.***

Or. en

*Justification*

*The amendment re-establishes Article 47 of the Commission's proposal, in order to take into account how the infringement is widespread and how many consumers have suffered when imposing sanctions.*