

10.12.2018

A8-0405/ 001-222

**AMENDMENTS 001-222**

by the Committee on Industry, Research and Energy

**Report**

**Massimiliano Salini**

**A8-0405/2018**

Space programme 2021-2027 and European Union Agency for the Space Programme

Proposal for a regulation (COM(2018)0447 – C8-0258/2018 – 2018/0236(COD))

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**Amendment 1**

**Draft legislative resolution**

**Citation 5 a (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to the Commission communication of 14 September 2016 entitled ‘Connectivity for a Competitive Digital Single Market – Towards a European Gigabit Society’ (COM(2016)0587) and the accompanying Commission staff working document (SWD(2016)0300),*

**Amendment 2**

**Draft legislative resolution**

**Citation 5 b (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to the Commission communication of 14 September 2016 entitled ‘5G for Europe: An Action Plan’ (COM(2016)0588) and the accompanying Commission staff working document*

### Amendment 3

#### Proposal for a regulation

##### Recital 1

*Text proposed by the Commission*

(1) Space technology, data and services have become indispensable in the daily lives of Europeans and play an essential role in preserving many strategic interests. The Union's space industry is already one of the most competitive in the world. However, the emergence of new players and the development of new technologies are revolutionising traditional industrial models. It is therefore crucial that the Union remains a leading international player with extensive freedom of action in the space domain, that it encourages scientific and technical progress and support the competitiveness and innovation capacity of space sector industries within the Union, in particular small and medium-sized enterprises, start-ups and innovative businesses.

*Amendment*

(1) Space technology, data and services have become indispensable in the daily lives of Europeans and play an essential role in preserving many strategic interests. The Union's space industry is already one of the most competitive in the world. However, the emergence of new players and the development of new technologies are revolutionising traditional industrial models. It is therefore crucial that the Union remains a leading international player with extensive freedom of action in the space domain, that it encourages scientific and technical progress and support the competitiveness and innovation capacity of space sector industries within the Union, in particular small and medium-sized enterprises, start-ups and innovative businesses. ***At the same time, it is important to create the appropriate conditions to ensure a global level playing field for companies active in the space sector.***

### Amendment 4

#### Proposal for a regulation

##### Recital 2

*Text proposed by the Commission*

(2) The space sector's development has historically been linked to security. In many cases, the equipment, components and instruments used in the space sector are dual-use goods. The possibilities that space offers for the security of the Union and its Member States should therefore be

*Amendment*

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exploited.

the Union and its Member States should therefore be exploited.

## Amendment 5

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) The Union has been developing its own space initiatives and programmes since the end of the 1990s, namely the European Geostationary Navigation Overlay Service (EGNOS) and then Galileo and Copernicus, which respond to the needs of Union citizens and the requirements of public policies. ***Not only should*** the continuity of those initiatives be ensured ***but they*** must also be improved, so that they remain at the forefront in view of new technology development and the transformations in the digital and information and communications technology domains, meet the new needs of users and are able to meet political priorities ***such as climate change, including monitoring changes in the Arctic, security and defence.***

*Amendment*

(3) The Union has been developing its own space initiatives and programmes since the end of the 1990s, namely the European Geostationary Navigation Overlay Service (EGNOS) and then Galileo and Copernicus, which respond to the needs of Union citizens and the requirements of public policies. The continuity of those initiatives, ***as well as their uptake and use, should*** be ensured ***and*** must also be improved, so that they remain at the forefront in view of new technology development and the transformations in the digital and information and communications technology domains, meet the new needs of users and are able to meet political priorities. ***The Programme should promote space-based services also so that all Member States and their citizens can fully reap the benefits of the Programme.***

## Amendment 6

### Proposal for a regulation

#### Recital 4

*Text proposed by the Commission*

(4) The Union needs to ensure its freedom of action and autonomy to have access to space and be able to use it safely. It is therefore essential that it maintains autonomous, reliable and cost-effective access to space, especially as regards critical infrastructure and technology, public security and the security of the

*Amendment*

(4) The Union needs to ensure its freedom of action and autonomy to have access to space and be able to use it safely. It is therefore essential that it maintains autonomous, reliable and cost-effective access to space, ***including alternative launching technologies and innovative systems or services,*** especially as regards

Union and its Member States. The Commission should therefore have the possibility to aggregate launch services at European level, both for its own needs and, at their request, for those of other entities, including Member States, in conformity with the provisions of Article 189(2) of the Treaty. It is also crucial that the Union continues to have modern, efficient and flexible launch infrastructure facilities. In addition to measures taken by Member States and the European Space Agency, the Commission should consider ways to support such facilities. In particular, where space ground infrastructure necessary to perform launches in line with the needs of the Programme is to be maintained or upgraded, it should be possible to partially fund such adaptations under the Programme, in line with the Financial Regulation and where a clear EU value added can be established, with the view of achieving a better cost efficiency for the Programme.

critical infrastructure and technology, public security and the security of the Union and its Member States. The Commission should therefore have the possibility to aggregate launch services at European level, both for its own needs and, at their request, for those of other entities, including Member States, in conformity with the provisions of Article 189(2) of the Treaty. It is also crucial that the Union continues to have modern, efficient and flexible launch infrastructure facilities. In addition to measures taken by Member States and the European Space Agency, the Commission should consider ways to support such facilities. In particular, where space ground infrastructure necessary to perform launches in line with the needs of the Programme is to be maintained or upgraded, it should be possible to partially fund such adaptations under the Programme, in line with the Financial Regulation and where a clear EU value added can be established, with the view of achieving a better cost efficiency for the Programme.

## Amendment 7

### Proposal for a regulation

#### Recital 5

##### *Text proposed by the Commission*

(5) To strengthen the competitiveness of the Union space industry and gain capacities in designing, building and operating its own systems, the Union should support the creation, growth, and development of the entire space industry. The emergence of a business- and innovation-friendly model should be supported at European, regional and national levels by **establishing** space hubs that bring together the space, digital and user sectors. The Union should foster the expansion of Union-based space companies to help them succeed, including

##### *Amendment*

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by supporting them in accessing risk finance in view of the lack, within the Union, of appropriate access to private equity for space start-ups and by creating innovation partnerships (first contract approach).

The Union should foster the *creation and* expansion of Union-based space companies to help them succeed, including by supporting them in accessing risk finance in view of the lack, within the Union, of appropriate access to private equity for space start-ups and by creating innovation partnerships (first contract approach).

## Amendment 8

### Proposal for a regulation Recital 6

#### *Text proposed by the Commission*

(6) Owing to its coverage and its potential to help resolve global challenges, the space programme of the Union ('Programme') has a strong international dimension. The Commission should therefore be enabled to manage, on behalf of the Union, and coordinate activities on the international scene on behalf of the Union, in particular to defend the interests of the Union and its Member States in international fora, including in the area of frequencies, to promote the Union's technology and industry, and to encourage cooperation in the field of training, bearing in mind the need to ensure the reciprocity of the rights and obligations of the parties. It is particularly important that the Union be represented by the Commission in the bodies of the International Cospas-Sarsat Programme or in relevant sectoral UN bodies including the Food and Agriculture Organisation, as well as the World Meteorological Organisation.

#### *Amendment*

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## Amendment 9

**Proposal for a regulation**  
**Recital 7**

*Text proposed by the Commission*

(7) The Commission should promote, alongside the Member States and the High Representative, responsible behaviour in space and outer space and explore the possibility for accession to the relevant UN Conventions.

*Amendment*

(7) The Commission should promote, alongside the Member States and the High Representative, responsible behaviour in space and outer space, ***in particular in finding solutions against the space debris proliferation*** and explore the possibility for accession to the relevant UN Conventions, ***including the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (the Outer Space Treaty)***.

**Amendment 10**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) The Programme shares similar objectives with other Union programmes, notably Horizon Europe, InvestEU Fund, European Defence Fund and Funds under Regulation (EU) [Common Provisions Regulation]. Therefore, cumulative funding from those programmes should be foreseen, provided they do cover the same ***cost items***, in particular through arrangements for complementary funding from Union programmes where management modalities permit - either in sequence, in an alternating way, or through the combination of funds including for the joint funding of actions, allowing, where possible, innovation partnerships and blending operations. During the implementation of the Programme, the Commission should therefore promote synergies with other related Union programmes which would allow, where possible, use of access to risk finance, innovation partnerships, cumulative or

*Amendment*

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blended funding.

blended funding. *It is important to ensure continuity between the solutions developed through Horizon Europe and other Union programmes and the components of the Programme.*

## Amendment 11

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

*Text proposed by the Commission*

*Amendment*

*(10 a) Around 200 000 professionals are employed in the Union space sector. Therefore, it is essential to continue developing the state-of-the-art infrastructure of that sector and thereby stimulate upstream and downstream economic activities. In addition, to ensure the competitiveness of the European space industry in the future, the Programme should support the development of advanced skills in space-related fields and support education and training activities, with a special focus on girls and women, in order to realise the full potential of Union citizens in that area.*

## Amendment 12

### Proposal for a regulation Recital 13 a (new)

*Text proposed by the Commission*

*Amendment*

*(13a) The Programme should exploit the synergies between the space and transport sectors, taking into consideration that space technologies play a strategic role in making land, maritime, air and space transport smarter, more efficient, safer, more secure, sustainable and integrated and at the same time a growing, innovative transport sector will increase the request of innovative and up-to-date space technologies.*

## Amendment 13

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) *Any* revenue generated by the Programme should accrue to the Union in order to partially offset the investments that it has already made, and that revenue should be used to support the objectives of the Programme. For the same reason, it should be possible to provide for a revenue-sharing mechanism in contracts concluded with private sector entities.

*Amendment*

(14) Revenue generated by *the components of* the Programme should accrue to the Union in order to partially offset the investments that it has already made, and that revenue should be used to support *the achievement of* the objectives of the Programme. For the same reason, it should be possible to provide for a revenue-sharing mechanism in contracts concluded with private sector entities.

## Amendment 14

### Proposal for a regulation

#### Recital 16

*Text proposed by the Commission*

(16) The Programme relies on complex and constantly changing technologies. The reliance on such technologies results in uncertainty and risk for public contracts concluded under this programme, insofar as those contracts involve long-term commitments to equipment or services. Specific measures concerning public contracts are therefore required in addition to the rules laid down in the Financial Regulation. It should thus be possible to award a contract in the form of a conditional stage-payment contract, introduce an amendment, under certain conditions, in the context of its performance, or impose a minimum level of subcontracting. Lastly, given the technological uncertainties that characterise the components of the Programme, contract prices cannot always be forecast accurately and it should therefore be possible to conclude contracts without stipulating a firm fixed price and to

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include clauses to safeguard the financial interests of the Union.

conclude contracts without stipulating a firm fixed price and to include clauses to safeguard the financial interests of the Union.

## Amendment 15

### Proposal for a regulation Recital 25

*Text proposed by the Commission*

(25) Sound public governance of the Programme requires the strict distribution of responsibilities and tasks among the different entities involved to avoid duplication and reduce cost overruns and delays.

*Amendment*

(25) Sound public governance of the Programme requires the strict distribution of responsibilities and tasks among the different entities involved to avoid duplication and reduce cost overruns and delays, ***and should aim to prioritise the use of existing European infrastructure and developing the European professional and industrial sectors.***

## Amendment 16

### Proposal for a regulation Recital 25 a (new)

*Text proposed by the Commission*

*Amendment*

***(25a) The Space Programmes are user-driven and therefore require the continuous, effective involvement of users' representatives for their implementation and development.***

## Amendment 17

### Proposal for a regulation Recital 26

*Text proposed by the Commission*

(26) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They can therefore make a

*Amendment*

(26) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They can therefore make a

big contribution to the Programme, especially its implementation, and should be required to cooperate fully with the Union to promote the Programme's services and applications. The Commission should be able to mobilise the means at Member States' disposal, might entrust the Member States with non-regulatory tasks in the execution of the Programme and benefit from their assistance. Moreover, the Member States concerned should take all necessary measures to ensure the protection of the ground stations established on their territories. In addition, Member States and the Commission should work together and with appropriate international bodies and regulatory authorities to ensure that the frequencies necessary for the Programme are available and **protected** to allow for the full development and implementation of applications based on the services offered, in compliance with Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme<sup>15</sup>.

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<sup>15</sup> Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme (OJ L 81, 21.3.2012, p. 7).

## Amendment 18

### Proposal for a regulation

#### Recital 27

*Text proposed by the Commission*

(27) As promoter of the Union's general interest, it falls to the Commission to **implement** the Programme, assume overall responsibility and promote their use. In order to optimise the resources and competences of the various stakeholders,

big contribution to the Programme, especially to its implementation, and should be required to cooperate fully with the Union to promote the Programme's services and applications. The Commission should be able to mobilise the means at Member States' disposal, might entrust the Member States with non-regulatory tasks in the execution of the Programme and benefit from their assistance. Moreover, the Member States concerned should take all necessary measures to ensure the protection of the ground stations established on their territories. In addition, Member States and the Commission should work together and with appropriate international bodies and regulatory authorities to ensure that the frequencies necessary for the Programme are available and **have adequate protection** to allow for the full development and implementation of applications based on the services offered, in compliance with Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme<sup>15</sup>.

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*Amendment*

(27) As promoter of the Union's general interest, it falls to the Commission to **supervise the implementation of** the Programme, assume overall responsibility and promote their use. In order to optimise the resources and competences of the

the Commission should be able to delegate certain tasks. Moreover the Commission is the best placed to determine the main ***technical and operational specifications*** necessary to implement systems and services evolution.

various stakeholders, the Commission should be able to delegate certain tasks. Moreover the Commission is the best placed to determine the main ***requirements*** necessary to implement systems and services evolution.

## Amendment 19

### Proposal for a regulation Recital 28

#### *Text proposed by the Commission*

(28) The mission of the European Union Agency for the Space Programme ("the Agency"), which replaces and succeeds the European GNSS Agency established by Regulation (EU) No 912/2010, is to contribute to the Programme, particularly as regards security. ***Certain tasks linked to the security*** and promotion of the ***Programme*** should therefore be assigned to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible for the security accreditation tasks for all the Union actions in the space sector. Furthermore, it should perform the tasks which the Commission confers on it by means of one or more contribution agreements covering various other specific tasks associated with the programme.

#### *Amendment*

(28) The mission of the European Union Agency for the Space Programme ("the Agency"), which replaces and succeeds the European GNSS Agency established by Regulation (EU) No 912/2010, is to contribute to the Programme, particularly as regards security, ***cybersecurity*** and promotion of the ***services and the downstream sector***. ***Tasks linked to those areas*** should therefore be assigned to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible for the security accreditation tasks for all the Union actions in the space sector. ***Building on its positive track record in promoting the user and market uptake of Galileo and EGNOS and with a view to promoting the programmes as a package, the Agency should also be entrusted with undertaking promotional and commercialisation activities for Copernicus***. Furthermore, it should perform the tasks which the Commission confers on it by means of one or more contribution agreements covering various other specific tasks associated with the programme.

## Amendment 20

### Proposal for a regulation Recital 29

*Text proposed by the Commission*

(29) The European Space Agency is an international organisation with extensive expertise in the space domain and which entered into a Framework Agreement with the European Community in 2004. It is therefore an important partner in the implementation of the Programme, with which any appropriate relations should be established. In this regard, and in compliance with the Financial Regulation, it is important to conclude a financial framework partnership agreement with the European Space Agency that governs all financial relations between the Commission, the Agency and the European Space Agency and ensures their consistency and conform to the Framework Agreement with the European Space Agency, in particular with Article 5 thereof. **However**, as the European Space Agency is not a Union body and is not subject to Union law, it is essential, in order to protect the interests of the Union and its Member States, **that such an agreement be conditional on the introduction of appropriate operating rules in the European Space Agency**. The agreement should also contain all the clauses necessary to safeguard the Union's financial interests.

**Amendment 21**

**Proposal for a regulation**

**Recital 31**

*Text proposed by the Commission*

(31) To structurally embed the user representation in the governance of GOVSATCOM and to aggregate user needs and requirements across national **and civil-military** boundaries, the relevant Union entities with close user-ties, such as **the European Defence Agency**, the

*Amendment*

(29) The European Space Agency is an international organisation with extensive expertise in the space domain and which entered into a Framework Agreement with the European Community in 2004. It is therefore an important partner in the implementation of the Programme, with which any appropriate relations should be established. In this regard, and in compliance with the Financial Regulation, it is important to conclude a financial framework partnership agreement with the European Space Agency that governs all financial relations between the Commission, the Agency and the European Space Agency and ensures their consistency and conform to the Framework Agreement with the European Space Agency, in particular with Article 5 thereof. As the European Space Agency is not a Union body and is not subject to Union law, it is essential **that such an agreement contains adequate requirements regarding operating rules at the European Space Agency** in order to protect the interests of the Union and its Member States. The agreement should also contain all the clauses necessary to safeguard the Union's financial interests.

*Amendment*

(31) To structurally embed the user representation in the governance of GOVSATCOM and to aggregate user needs and requirements across national boundaries, the relevant Union entities with close user-ties, such as the European Border and Coast Guard Agency, the

European Border and Coast Guard Agency, the European Maritime Safety Agency, the European Fisheries Control Agency, the European Union Agency for Law Enforcement Cooperation, the ***Military Planning and Conduct Capability/*** Civilian Planning and Conduct Capability and the Emergency Response Coordination Centre should have coordinating roles for specific user groups. At an aggregated level the Agency ***and the European Defence Agency*** should ***respectively*** represent the ***civilian and military*** user ***communities*** and may monitor operational use, demand, conformance to requirements and evolving needs and requirements.

European Maritime Safety Agency, the European Fisheries Control Agency, the European Union Agency for Law Enforcement Cooperation, the Civilian Planning and Conduct Capability and the Emergency Response Coordination Centre should have coordinating roles for specific user groups. At an aggregated level the Agency should represent the user ***community*** and may monitor operational use, demand, conformance to requirements and evolving needs and requirements.

## Amendment 22

### Proposal for a regulation Recital 36

*Text proposed by the Commission*

(36) To ensure the secure circulation of information, appropriate rules should be established to ensure equivalence of security rules for the different public and private entities, as well as natural persons, involved in the implementation of the Programme.

*Amendment*

(36) To ensure the secure circulation of information, appropriate rules should be established to ensure equivalence of security rules for the different public and private entities, as well as natural persons, involved in the implementation of the Programme, ***with the establishment of several levels of access to information and, implicitly, security of access to information.***

## Amendment 23

### Proposal for a regulation Recital 36 a (new)

*Text proposed by the Commission*

*Amendment*

***(36a) The cyber security of European space infrastructures, both ground and space, is key to ensuring the continuity of the operations of the systems, and their effective ability to carry out the tasks***

*continuously and to provide the services required.*

## Amendment 24

### Proposal for a regulation

#### Recital 38

*Text proposed by the Commission*

(38) A growing number of key economic sectors, in particular transport, telecommunications, agriculture and energy, increasingly use satellite navigation systems, *not to mention the synergies with activities linked to the security and defence* of the Union and its Member States. Having full control of satellite navigation should therefore guarantee the Union's technological independence, including in the longer term for the components of infrastructure equipment, and ensure its strategic autonomy.

*Amendment*

(38) A growing number of key economic sectors, in particular transport, telecommunications, agriculture and energy, increasingly use satellite navigation systems. *Satellite navigation also plays a role in the context of* the security of the Union and its Member States. Having full control of satellite navigation should therefore guarantee the Union's technological independence, including in the longer term for the components of infrastructure equipment, and ensure its strategic autonomy.

## Amendment 25

### Proposal for a regulation

#### Recital 40

*Text proposed by the Commission*

(40) The aim of EGNOS is to improve the quality of open signals from existing global navigation satellite systems, in particular those emitted by the Galileo system. The services provided by EGNOS should cover, as a priority, the Member States' territories geographically located in Europe, including for this purpose the Azores, the Canary Islands and Madeira, with the aim to cover those territories by the end of 2025. Subject to technical feasibility and, for the safety of life, on the basis of international agreements, the geographical coverage of the services provided by EGNOS could be extended to

*Amendment*

(40) The aim of EGNOS is to improve the quality of open signals from existing global navigation satellite systems, in particular those emitted by the Galileo system. The services provided by EGNOS should cover, as a priority, the Member States' territories geographically located in Europe, including for this purpose the Azores, the Canary Islands and Madeira, with the aim to cover those territories by the end of 2025. Subject to technical feasibility and, for the safety of life, on the basis of international agreements, the geographical coverage of the services provided by EGNOS could be extended to

other regions of the world. Without prejudice to Regulation [2018/XXXX] [EASA Regulation] and the necessary monitoring of Galileo service quality for aviation purposes, it should be noted that while the signals emitted by Galileo may effectively be used to facilitate the positioning of aircraft, only local or regional augmentation systems such as EGNOS in Europe may constitute air-traffic management (ATM) services and air navigation services (ANS).

other regions of the world. Without prejudice to Regulation 2018/1139 of the European Parliament and of the Council <sup>1a</sup> and the necessary monitoring of Galileo service quality **and safety performance** for aviation purposes, it should be noted that while the signals emitted by Galileo may effectively be used to facilitate the positioning of aircraft, only local or regional augmentation systems such as EGNOS in Europe may constitute air-traffic management (ATM) services and air navigation services (ANS).

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***<sup>1a</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1)***

## Amendment 26

### Proposal for a regulation Recital 40 a (new)

*Text proposed by the Commission*

*Amendment*

***(40a) EGNOS can assist precision agriculture and help European farmers to eliminate waste, decrease over-application of fertilisers and herbicides, and optimise crop yields. EGNOS already has an important “user community”, but the number of farming machinery compatible with navigation technology is more limited. That issue should be tackled.***

## Amendment 27

### Proposal for a regulation Recital 41

*Text proposed by the Commission*

(41) It is imperative that the continuity, sustainability and future availability of the services provided by the Galileo and EGNOS systems be ensured. In a changing environment and rapidly developing market, their development should also continue and new generations of these systems should be prepared.

*Amendment*

(41) It is imperative that the continuity, sustainability, ***security, reliability, accuracy*** and future availability of the services provided by the Galileo and EGNOS systems be ensured. In a changing environment and rapidly developing market, their development should also continue and new generations of these systems should be prepared.

## Amendment 28

### Proposal for a regulation Recital 44 a (new)

*Text proposed by the Commission*

*Amendment*

***(44a) In order to support the exploitation of the services provided by Galileo and EGNOS and to support downstream services, in particular in the transport sector, the competent authorities should develop, common standards and certifications at international level.***

## Amendment 29

### Proposal for a regulation Recital 45

*Text proposed by the Commission*

***(45) Considering the importance for Galileo and EGNOS of their ground-based infrastructure and the impact thereof on their security, the determination of the location of the infrastructure should made by the Commission. The deployment of the ground-based infrastructure of the***

*Amendment*

***deleted***

*systems should continue to follow an open and transparent process.*

### **Amendment 30**

#### **Proposal for a regulation**

##### **Recital 46**

*Text proposed by the Commission*

(46) To maximise the socio-economic benefits of Galileo and EGNOS, notably in the area of security, the use of the services provided by EGNOS and Galileo in other Union policies *should be promoted where this is justified and beneficial.*

*Amendment*

(46) To maximise the socio-economic benefits of Galileo and EGNOS, notably in the area of security, the use of the services provided by EGNOS and Galileo ***should be mainstreamed, where possible,*** in other Union policies. ***Measures to encourage the use of those services in all Member States are also an important stage in the process.***

### **Amendment 31**

#### **Proposal for a regulation**

##### **Recital 47**

*Text proposed by the Commission*

(47) Copernicus should ensure an autonomous access to environmental knowledge and key technologies for Earth observation and geo-information services, thereby enabling the Union to achieve independent decision-making and actions in the fields of the environment, climate change, civil protection, security, as well as the digital economy, among others.

*Amendment*

(47) Copernicus should ensure an autonomous access to environmental knowledge and key technologies for Earth observation and geo-information services, thereby enabling the Union to achieve independent decision-making and actions in the fields of the environment, ***including agriculture, biodiversity, land use, forestry, rural development and fisheries,*** climate change, ***cultural heritage sites,*** civil protection, security, ***including of infrastructures,*** as well as the digital economy, among others.

### **Amendment 32**

#### **Proposal for a regulation**

##### **Recital 48**

(48) Copernicus should build on and ensure continuity with the activities and achievements under Regulation (EU) No 377/2014 of the European Parliament and of the Council<sup>17</sup> establishing the Union Earth observation and monitoring programme (Copernicus) as well as Regulation (EU) No 911/2010 of the European Parliament and of the Council on the European Earth monitoring programme (GMES) and its initial operations<sup>18</sup> establishing the predecessor Global Monitoring for Environment and Security (GMES) programme and the rules for implementation of its initial operations, taking into account recent trends in research, technological advances and innovations impacting the Earth observation domain, as well as developments in big data analytics and Artificial Intelligence and related strategies and initiatives at Union level<sup>19</sup>. To the greatest extent possible, it should make use of capacities for space-borne observations of the Member States, the European Space Agency, EUMETSAT<sup>20</sup>, as well as other entities, including commercial initiatives in Europe, thereby also contributing to the development of a viable commercial space sector in Europe. Where feasible and appropriate, it should also make use of the available in situ and ancillary data provided mainly by the Member States in accordance with Directive 2007/2/EC<sup>21</sup>. The Commission should work together with the Member States and the European Environment Agency to ensure an efficient access and use of the in-situ data sets for Copernicus.

(48) ***Existing capacities should be built on and should be complemented by new assets, which may be developed in common among the responsible entities. To that end, the Commission should work closely with the European Space Agency, Member States and, where applicable, other entities owning relevant space and in situ assets.*** Copernicus should build on and ensure continuity with the activities and achievements under Regulation (EU) No 377/2014 of the European Parliament and of the Council<sup>17</sup> establishing the Union Earth observation and monitoring programme (Copernicus) as well as Regulation (EU) No 911/2010 of the European Parliament and of the Council on the European Earth monitoring programme (GMES) and its initial operations<sup>18</sup> establishing the predecessor Global Monitoring for Environment and Security (GMES) programme and the rules for implementation of its initial operations, taking into account recent trends in research, technological advances and innovations impacting the Earth observation domain, as well as developments in big data analytics and Artificial Intelligence and related strategies and initiatives at Union level<sup>19</sup>. To the greatest extent possible, it should make use of capacities for space-borne observations of the Member States, the European Space Agency, EUMETSAT<sup>20</sup>, as well as other entities, including commercial initiatives in Europe, thereby also contributing to the development of a viable commercial space sector in Europe. Where feasible and appropriate, it should also make use of the available in situ and ancillary data provided mainly by the Member States in accordance with Directive 2007/2/EC<sup>21</sup>. The Commission should work together with the Member States and the European Environment Agency to ensure an efficient access and use of the in-situ data sets for

Copernicus.

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<sup>17</sup> Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (OJ L 122, 24.4.2014, p. 44).

<sup>18</sup> Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013)(OJ L 276, 20.10.2010, p. 1).

<sup>19</sup> Communication "Artificial Intelligence for Europe" (COM(2018) 237 final) , Communication "Towards a common European data space" (COM(2018) 232 final), Proposal for a Council Regulation on establishing the European High Performance Computing Joint Undertaking (COM(2018) 8 final).

<sup>20</sup> The European Organisation for the Exploitation of Meteorological Satellites

<sup>21</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)

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<sup>17</sup> Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (OJ L 122, 24.4.2014, p. 44).

<sup>18</sup> Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013)(OJ L 276, 20.10.2010, p. 1).

<sup>19</sup> Communication "Artificial Intelligence for Europe" (COM(2018) 237 final) , Communication "Towards a common European data space" (COM(2018) 232 final), Proposal for a Council Regulation on establishing the European High Performance Computing Joint Undertaking (COM(2018) 8 final).

<sup>20</sup> The European Organisation for the Exploitation of Meteorological Satellites

<sup>21</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)

## Amendment 33

### Proposal for a regulation Recital 49 a (new)

*Text proposed by the Commission*

*Amendment*

***(49a) The full potential of Copernicus for the Union society and economy should be fully unleashed beyond direct beneficiaries by means of an intensification of user uptake measures, which requires further action to render the data usable by non-specialists and thereby stimulate growth, job creation and knowledge transfers.***

## Amendment 34

### Proposal for a regulation

#### Recital 52

##### *Text proposed by the Commission*

(52) With regard to data acquisition, the activities under Copernicus should aim at completing and maintaining the existing space infrastructure, preparing the long-term replacement of the satellites at the end of their lifetime, as well as initiating new missions addressing new observation systems to support meeting the challenge of global climate change (e.g. anthropogenic CO<sub>2</sub> and other greenhouse gas emissions monitoring). Activities under Copernicus should expand their global monitoring coverage over the polar regions and support environmental compliance assurance, statutory environmental monitoring and reporting and innovative environmental applications (e.g. for crops monitoring, water management and enhanced fire monitoring). In doing so, Copernicus should leverage and take maximum advantage of the investments made under the previous funding period (2014-2020), while exploring new operational and business models to further complement the Copernicus capacities. Copernicus should also build on successful partnerships with Member States to further develop its security dimension under appropriate governance mechanisms, in order to respond to evolving user needs in the security domain.

##### *Amendment*

(52) With regard to data acquisition, the activities under Copernicus should aim at completing and maintaining the existing space infrastructure, preparing the long-term replacement of the satellites at the end of their lifetime, as well as initiating new missions ***whose feasibility is currently being explored by the European Space Agency*** addressing new observation systems to support meeting the challenge of global climate change (e.g. anthropogenic CO<sub>2</sub> and other greenhouse gas emissions monitoring). Activities under Copernicus should expand their global monitoring coverage over the polar regions and support environmental compliance assurance, statutory environmental monitoring and reporting and innovative environmental applications (e.g. for crops monitoring, water management and enhanced fire monitoring). In doing so, Copernicus should leverage and take maximum advantage of the investments made under the previous funding period (2014-2020), while exploring new operational and business models to further complement the Copernicus capacities. Copernicus should also build on successful partnerships with Member States to further develop its security dimension under appropriate governance mechanisms, in order to respond to evolving user needs in the security domain.

## Amendment 35

### Proposal for a regulation

#### Recital 53

*Text proposed by the Commission*

(53) As part of the data and information processing function, Copernicus should ensure the long-term sustainability and further development of the core Copernicus services, providing information in order to satisfy public sector needs and those arising from the Union's international commitments, and to maximise opportunities for commercial exploitation. In particular, Copernicus should deliver, at the local, national, European and global scale, information on the state of the atmosphere; information on the state of the oceans; information in support of land monitoring supporting the implementation of local, national and Union policies; information in support of climate change adaptation and mitigation; geospatial information in support of emergency management, including through prevention activities, environmental compliance assurance, as well as civil security including support for the Union's external action. The Commission should identify appropriate contractual arrangements fostering the sustainability of service provision.

**Amendment 36**

**Proposal for a regulation**  
**Recital 54 a (new)**

*Text proposed by the Commission*

*Amendment*

(53) As part of the data and information processing function, Copernicus should ensure the long-term sustainability and further development of the core Copernicus services, providing information in order to satisfy public sector needs and those arising from the Union's international commitments, and to maximise opportunities for commercial exploitation. In particular, Copernicus should deliver, at the local, national, European and global scale, information on the state of the atmosphere, ***including air quality***; information on the state of the oceans; information in support of land monitoring supporting the implementation of local, national and Union policies; information in support of climate change adaptation and mitigation; geospatial information in support of emergency management, including through prevention activities, environmental compliance assurance, as well as civil security including support for the Union's external action. The Commission should identify appropriate contractual arrangements fostering the sustainability of service provision.

*Amendment*

***(54a) In order to achieve the objectives of Copernicus on a sustainable basis, a committee (the Copernicus sub-committee) could be established to assist the Commission in ensuring the coordination of contributions to Copernicus by the Union, the User Fora, the Member States and inter-governmental organisations as well as the private sector, making the best use of***

*existing capacities and identifying gaps to be addressed at Union level.*

## **Amendment 37**

### **Proposal for a regulation**

#### **Recital 55**

*Text proposed by the Commission*

(55) The implementation of the Copernicus services should facilitate the public uptake of services as users would be able to anticipate the availability and evolution of services as well as cooperation with Member States and other parties. To this end, the **Commission and its** entrusted entities **providing services** should engage closely with different user communities across Europe in further developing the Copernicus services and information portfolio to ensure that evolving public sector and policy needs are met and thus the uptake of Earth observation data can be maximised. The Commission and Member States should work together to develop the in-situ component of Copernicus and to facilitate the integration of in-situ datasets with space datasets for upgraded Copernicus services.

*Amendment*

(55) The implementation of the Copernicus services should facilitate the public uptake of services as users would be able to anticipate the availability and evolution of services as well as cooperation with Member States and other parties. To this end, the **Agency and the Copernicus** entrusted entities should engage closely with different user communities across Europe in further developing the Copernicus services and information portfolio to ensure that evolving public sector and policy needs are met and thus the uptake of Earth observation data can be maximised **in the interest of European citizens**. The Commission and Member States should work together to develop the in-situ component of Copernicus and to facilitate the integration of in-situ datasets with space datasets for upgraded Copernicus services.

## **Amendment 38**

### **Proposal for a regulation**

#### **Recital 56 a (new)**

*Text proposed by the Commission*

*Amendment*

**(56a) Member States, the Commission and the responsible entities should periodically run the Copernicus information campaigns regarding the benefits of the programme, giving all potential users access to the relevant information and data.**

## Amendment 39

### Proposal for a regulation Recital 57 a (new)

*Text proposed by the Commission*

*Amendment*

***(57a) Copernicus' Climate Change services, although still in a pre-operational phase, are already well on track as the number of users doubled between 2015 and 2016. All Climate Change services should become fully operational as soon as possible and thereby provide the continuous flow of data necessary for effective climate change mitigation and adaptation actions.***

## Amendment 40

### Proposal for a regulation Recital 59

*Text proposed by the Commission*

*Amendment*

(59) To promote and facilitate the use of Earth observation data and technologies both by local authorities, by small and medium-sized enterprises, scientists and researchers, dedicated networks for Copernicus data distribution, including national and regional bodies, should be promoted through user uptake activities. To this end, the Commission and the Member States should strive to establish closer links between Copernicus and Union and national policies in order to drive the demand for commercial applications and services and enable enterprises, particular small and medium-sized enterprises and start-ups, to develop applications based on Copernicus data and information aiming at developing a competitive Earth observation data eco-system in Europe.

(59) To promote and facilitate the use of Earth observation data and technologies both by local **and regional** authorities, by small and medium-sized enterprises, scientists and researchers, dedicated networks for Copernicus data distribution, including national and regional bodies, should be promoted through user uptake activities. To this end, the Commission and the Member States should strive to establish closer links between Copernicus and Union and national policies in order to drive the demand for commercial applications and services and enable enterprises, particular small and medium-sized enterprises and start-ups, to develop applications based on Copernicus data and information aiming at developing a competitive Earth observation data eco-system in Europe.

## Amendment 41

**Proposal for a regulation**  
**Recital 59 a (new)**

*Text proposed by the Commission*

*Amendment*

***(59a) Given the major potential of satellite imagery for sustainable and efficient resource management, providing reliable and timely information on crop and soil conditions for example, that service should be further enhanced to meet end-user needs and ensure data linkage.***

**Amendment 42**

**Proposal for a regulation**  
**Recital 62**

*Text proposed by the Commission*

*Amendment*

(62) Following the requests of the European Parliament and of the Council and, the Union established a support framework for space surveillance and tracking (SST) by means of Decision No 541/2014/EU of the European Parliament and of the Council of 16 April 2014 establishing a Framework for Space Surveillance and Tracking Support<sup>24</sup>. Space debris has become a serious threat to the security, safety and sustainability of space activities. The SST is therefore primordial to preserve the continuity of the Programme's components and their contributions to Union policies. By seeking to prevent the proliferation of space debris, SST contributes to ensuring the sustainable and guaranteed access to and use of space, which is a global common.

(62) Following the requests of the European Parliament and of the Council and, the Union established a support framework for space surveillance and tracking (SST) by means of Decision No 541/2014/EU of the European Parliament and of the Council<sup>24</sup>. Space debris has become a serious threat to the security, safety and sustainability of space activities. The SST is therefore primordial to preserve the continuity of the Programme's components and their contributions to Union policies. By seeking to prevent the proliferation of space debris, SST contributes to ensuring the sustainable and guaranteed access to and use of space, which is a global common. ***The SST is intended also to facilitate the preparation of European earth orbit 'clean-up' projects.***

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<sup>24</sup> OJ L 158, 27.5.2014, p. 227.

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<sup>24</sup> Decision No 541/2014/EU of the European Parliament and of the Council of 16 April 2014 establishing a Framework for Space Surveillance and Tracking Support (OJ L 158, 27.5.2014, p. 227).

## Amendment 43

### Proposal for a regulation

#### Recital 63

*Text proposed by the Commission*

(63) The SST should further develop the performance and autonomy of SST capabilities. To this end, it should lead to the establishment of an autonomous European catalogue of space objects, building on data from the network of SST sensors. The SST should also continue to support operation and delivery of SST services. As SST is a user-driven system, appropriate mechanisms should be put in place to collect user requirements, including those relating to security.

*Amendment*

(63) The SST should further develop the performance and autonomy of SST capabilities. To this end, it should lead to the establishment of an autonomous European catalogue of space objects, building on data from the network of SST sensors. The ***catalogue could follow the example of other space capable nations and make some of its data available for non-commercial and research purposes.*** SST should also continue to support operation and delivery of SST services. As SST is a user-driven system, appropriate mechanisms should be put in place to collect user requirements, including those relating to security ***and the transmission of relevant information to and from public institutions to improve the effectiveness of the system.***

## Amendment 44

### Proposal for a regulation

#### Recital 67

*Text proposed by the Commission*

(67) In addition, the SST should be complementary to existing mitigation measures, such as the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space (COPUOS) and Guidelines for the Long-term Sustainability of Outer Space Activities, or other initiatives, to ensure the safety, security and sustainability of outer space activities. With a view to reducing risks of collision, the SST would also seek synergies with initiatives ***of active removal and passivation measures*** of space debris. The SST should contribute to ensuring the

*Amendment*

(67) In addition, the SST should be complementary to existing mitigation measures, such as the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space (COPUOS) and Guidelines for the Long-term Sustainability of Outer Space Activities, or other initiatives, to ensure the safety, security and sustainability of outer space activities. With a view to reducing risks of collision, the SST would also seek synergies with initiatives ***aimed at promoting the development and deployment of technological systems***

peaceful use and exploration of outer space. The increase in space activities may have implication on the international initiatives in the area of the space traffic management. The Union should monitor those developments and may take them into consideration in the context of the mid-term review of the current MFF.

*designed for the* active removal of space debris. The SST should contribute to ensuring the peaceful use and exploration of outer space. The increase in space activities may have implication on the international initiatives in the area of the space traffic management. The Union should monitor those developments and may take them into consideration in the context of the mid-term review of the current MFF.

## Amendment 45

### Proposal for a regulation

#### Recital 70

##### *Text proposed by the Commission*

(70) Extreme and major space weather events may threaten the safety of citizens and disrupt the operations of space-based and ground-based infrastructure. A space weather function should therefore be established as part the Programme with an aim of assessing the space weather risks and corresponding user needs, raising the awareness of space weather risks, ensuring the delivery of user-driven space weather services, and improving Member *States* capabilities to produce space weather service. The Commission should prioritise the sectors to which the operational space weather services are to be provided taking into account the user needs, risks and technological readiness. In the long term, the needs of other sectors may be addressed. The delivery of services at Union level according to the users' needs will require targeted, coordinated and continued research and development activities to support space weather services evolution. The delivery of the space weather services should build on the existing national and Union capabilities and enable a broad participation of Member States and involvement of the private sector.

##### *Amendment*

(70) Extreme and major space weather events may threaten the safety of citizens and disrupt the operations of space-based and ground-based infrastructure. A space weather function should therefore be established as part the Programme with an aim of assessing the space weather risks and corresponding user needs, raising the awareness of space weather risks, ensuring the delivery of user-driven space weather services, and improving Member *States'* capabilities to produce space weather service. The Commission should prioritise the sectors to which the operational space weather services are to be provided taking into account the user needs, risks and technological readiness. In the long term, the needs of other sectors may be addressed. The delivery of services at Union level according to the users' needs will require targeted, coordinated and continued research and development activities to support space weather services evolution. The delivery of the space weather services should build on the existing national and Union capabilities and enable a broad participation of Member States, *international organisations* and involvement of the

private sector.

## Amendment 46

### Proposal for a regulation

#### Recital 73

*Text proposed by the Commission*

(73) GOVSATCOM is a user-centric programme with a strong security dimension. The use-cases may be analysed for three main families: crisis management, ***which may include civilian and military Common Security and Defence missions and operations***, natural and man-made disasters, humanitarian crises, and maritime emergencies; surveillance, which may include border surveillance, pre-frontier surveillance sea-border surveillance, maritime surveillance, surveillance of illegal trafficking; and key infrastructures, which may include diplomatic network, police communications, critical infrastructures (e.g. energy, transport, water barriers) and space infrastructures.

*Amendment*

(73) GOVSATCOM is a user-centric programme with a strong security dimension. The use-cases may be analysed for three main families: crisis management, natural and man-made disasters, humanitarian crises, and maritime emergencies; surveillance, which may include border surveillance, pre-frontier surveillance sea-border surveillance, maritime surveillance, surveillance of illegal trafficking; and key infrastructures, which may include diplomatic network, police communications, ***digital infrastructure (e. g. data centres, servers)***, critical infrastructures (e.g. energy, transport, water barriers ***such as dams***) and space infrastructures.

## Amendment 47

### Proposal for a regulation

#### Recital 78

*Text proposed by the Commission*

(78) For users of satellite communications the user equipment is the all-important operational interface. The EU GOVSATCOM approach ***makes*** it possible for ***most*** users to continue to use their existing user equipment for GOVSATCOM services ***in so far as they make use of Union technologies***.

*Amendment*

(78) For users of satellite communications the user equipment is the all-important operational interface. The EU GOVSATCOM approach ***should make*** it possible for users to continue to use their existing user equipment for GOVSATCOM services.

## Amendment 48

**Proposal for a regulation**  
**Recital 86**

*Text proposed by the Commission*

(86) Infrastructure dedicated to the Programme may require additional research and innovation, which may be supported under Horizon Europe, aiming for coherence with activities in this domain by the European Space Agency. Synergies with Horizon Europe should ensure that research and innovation needs of the space sector are identified and established as part of the strategic research and innovation planning process. Space data and services made freely available by the Programme will be used to develop breakthrough solutions through research and innovation, including in Horizon Europe, ***in particular for sustainable food and natural resources, climate monitoring, smart cities, automated vehicles, security and disaster management***. The strategic planning process under Horizon Europe will identify research and innovation activities that should make use of Union-owned infrastructures such as Galileo, EGNOS and Copernicus. Research infrastructures, in particular in situ observing networks will constitute essential elements of the in situ observation infrastructure enabling the Copernicus services

**Amendment 49**

**Proposal for a regulation**  
**Recital 87**

*Text proposed by the Commission*

(87) Regulation (EU) No 912/2010 established a Union agency, called the European GNSS Agency, to manage certain aspects of the Galileo and EGNOS satellite navigation programmes. The present Regulation provides in particular that the European GNSS Agency will be

*Amendment*

(86) Infrastructure dedicated to the Programme may require additional research and innovation, which may be supported under Horizon Europe, aiming for coherence with activities in this domain by the European Space Agency. Synergies with Horizon Europe should ensure that research and innovation needs of the space sector are identified and established as part of the strategic research and innovation planning process. ***It is important to assure continuity between the solutions developed through Horizon Europe and the operations of the components of the Programme***. Space data and services made freely available by the Programme will be used to develop breakthrough solutions through research and innovation, including in Horizon Europe, ***on the main European policies***. The strategic planning process under Horizon Europe will identify research and innovation activities that should make use of Union-owned infrastructures such as Galileo, EGNOS and Copernicus. Research infrastructures, in particular in situ observing networks will constitute essential elements of the in situ observation infrastructure enabling the Copernicus services.

*Amendment*

(87) Regulation (EU) No 912/2010 established a Union agency, called the European GNSS Agency, to manage certain aspects of the Galileo and EGNOS satellite navigation programmes. The present Regulation provides in particular that the European GNSS Agency will be

entrusted with new tasks, not only in respect of Galileo and EGNOS but also for other components of the Programme, especially security accreditation. The name, tasks and organisational aspects of the European GNSS Agency must therefore be adapted accordingly.

entrusted with new tasks, not only in respect of Galileo and EGNOS but also for other components of the Programme, especially security accreditation **and cybersecurity**. The name, tasks and organisational aspects of the European GNSS Agency must therefore be adapted accordingly.

## Amendment 50

### Proposal for a regulation Recital 88

#### *Text proposed by the Commission*

(88) In view of its extended scope, which will no longer be limited to Galileo and EGNOS, the European GNSS Agency should henceforth be changed. However, the continuity of the activities of the European GNSS Agency, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency.

#### *Amendment*

(88) In view of its extended scope, which will no longer be limited to Galileo and EGNOS, the European GNSS Agency should henceforth be changed. **Where it entrusts tasks to the Agency, the Commission should ensure appropriate funding for the management and execution of those tasks, including adequate human and financial resources.** However, the continuity of the activities of the European GNSS Agency, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency.

## Amendment 51

### Proposal for a regulation Article 2 – paragraph 1 – point 2

#### *Text proposed by the Commission*

(2) ‘space weather events’ means naturally occurring variations in the space environment between the Sun and the Earth, including solar flares, solar energetic particles, solar wind, and coronal mass ejections that can lead to solar storms (geomagnetic storms, solar radiation storms and ionospheric disturbances)

#### *Amendment*

(2) ‘space weather events’ means naturally occurring variations in the space environment between the Sun and the Earth, including solar flares, solar energetic particles, solar wind, and coronal mass ejections that can lead to solar storms (geomagnetic storms, solar radiation storms and ionospheric disturbances)

potentially impacting Earth;

potentially impacting Earth *or space-based infrastructures*;

## Amendment 52

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 5

*Text proposed by the Commission*

(5) ‘space situational awareness’ (‘SSA’) means **a holistic approach towards** the main space hazards, encompassing collision between satellites and space debris, space weather phenomena, and near earth objects;

*Amendment*

(5) ‘space situational awareness’ (‘SSA’) means **comprehensive knowledge and understanding of** the main space hazards, encompassing collision between satellites and space debris, space weather phenomena, and near earth objects;

## Amendment 53

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 6

*Text proposed by the Commission*

(6) 'blending operation' means actions supported by the EU budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/or financial instruments from the EU budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;

*Amendment*

(6) 'blending operation' means actions supported by the EU budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/or financial instruments **and/or budgetary guarantees** from the EU budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;

## Amendment 54

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 10

*Text proposed by the Commission*

(10) ‘SST data’ means physical parameters of space objects acquired by SST sensors or orbital parameters of space

*Amendment*

(10) ‘SST data’ means physical parameters of space objects, **including space debris**, acquired by SST sensors or

objects derived from SST sensors' observations in the framework of the space surveillance and tracking ('SST') component;

orbital parameters of space objects derived from SST sensors' observations in the framework of the space surveillance and tracking ('SST') component;

## Amendment 55

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 14 a (new)

*Text proposed by the Commission*

*Amendment*

***(14a) 'Copernicus third-party-information' means information licensed and provided for use within Copernicus activities which originate from sources other than Copernicus Sentinels;***

## Amendment 56

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 23 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

'Copernicus core users' which benefit from Copernicus data and Copernicus information and have the additional role of driving the evolution of Copernicus, comprising the Union institutions and bodies and European national, or regional public bodies entrusted with a public service mission for the definition, implementation, enforcement or monitoring of environmental, civil protection, safety or security policies;

'Copernicus core users' which benefit from Copernicus data and Copernicus information and have the additional role of driving the evolution of Copernicus, comprising the Union institutions and bodies and European national, or regional public bodies entrusted with a public service mission for the definition, implementation, enforcement or monitoring of environmental, civil protection, safety, ***including safety of infrastructure*** or security policies;

## Amendment 57

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 23 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***'Copernicus core services' means the***

*operational services clustered in the data and information processing component or service component, which are of general and common interest of the Member States and the Union;*

## Amendment 58

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 23 a (new)

*Text proposed by the Commission*

*Amendment*

(23 a) *"space sector" means:*  
*"the upstream sector", which includes activities leading to an operational space system, and space exploration;*  
*"the downstream sector" which includes activities relating to exploiting satellite data to develop space-related products and services to end-users.*

*Justification*

*Space sector should be further defined and distinguished in an upstream and downstream sector.*

## Amendment 59

### Proposal for a regulation

#### Article 3 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) an autonomous civil global navigation satellite system (GNSS) under civil control comprising a constellation of satellites, centres and a global network of stations on the ground, offering positioning, navigation and time measurement services and **fully** integrating the needs and requirements of security ('Galileo');

(a) an autonomous civil global navigation satellite system (GNSS) under civil control comprising a constellation of satellites, centres and a global network of stations on the ground, offering positioning, navigation and time measurement services and, **where appropriate**, integrating the needs and requirements of security ('Galileo');

## Amendment 60

### Proposal for a regulation

#### Article 3 – paragraph 1 – point c

*Text proposed by the Commission*

(c) an autonomous, user-driven, Earth observation system under civil control, offering geo-information data and services, comprising satellites, ground infrastructure, data and information processing facilities, and distribution infrastructure, and fully integrating the needs and requirements of security ('Copernicus');

*Amendment*

(c) an autonomous, user-driven, Earth observation system under civil control, offering geo-information data and services **based on a free and open data policy**, comprising satellites, ground infrastructure, data and information processing facilities, and distribution infrastructure, and fully integrating the needs and requirements of security ('Copernicus');

## Amendment 61

### Proposal for a regulation

#### Article 3 – paragraph 1 – point d

*Text proposed by the Commission*

(d) a space surveillance and tracking system aiming to improve, operate and provide data, information and services related to the surveillance and tracking of active and inactive spacecraft, **discarded launchers stages**, debris **and debris fragments** that orbit around the Earth and complemented by observational parameters related to space weather events and the risk of near earth objects ('NEOs') approaching earth monitoring ('SST');

*Amendment*

(d) a space surveillance and tracking system aiming to improve, operate and provide data, information and services related to the surveillance and tracking of active and inactive spacecraft **and space**, debris that orbit around the Earth and complemented by observational parameters related to space weather events and the risk of near earth objects ('NEOs') approaching earth monitoring ('SST');

## Amendment 62

### Proposal for a regulation

#### Article 3 – paragraph 2

*Text proposed by the Commission*

Additionally, the Programme shall include measures for ensuring **efficient** access to space **for the Programme and** for fostering an innovative space sector.

*Amendment*

Additionally, the Programme shall include measures for ensuring **autonomous** access to space, **for tackling cyber threats**, for fostering an innovative **and competitive**

space sector, *upstream and downstream, and for supporting space diplomacy.*

### Amendment 63

#### Proposal for a regulation

##### Article 4 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. The Programme shall the following general objectives:

*Amendment*

1. The Programme shall **have** the following general objectives:

### Amendment 64

#### Proposal for a regulation

##### Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

(a) provide, or contribute to the provision of, high-quality and up-to-date and, where appropriate, secure space-related data, information and services without interruption and wherever possible at global level, meeting existing and future needs and able to meet the Union's political priorities, including *as regards* climate change **and security and defence**;

*Amendment*

(a) provide, or contribute to the provision of, high-quality and up-to-date and, where appropriate, secure space-related data, information and services without interruption and wherever possible at global level, meeting existing and future needs and able to meet the Union's political priorities, including climate change; **and support the evidence-based and independent decision-making capacity of the Union and its Member States**;

### Amendment 65

#### Proposal for a regulation

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

*Text proposed by the Commission*

(b) maximise the socio-economic benefits, **including by** promoting the widest possible use of the data, information and services provided by the Programme's components;

*Amendment*

(b) maximise the socio-economic benefits, **in particular by strengthening the European downstream sector, thereby enabling growth and job creation in the Union and** promoting the widest possible **uptake of services and** use of the data, information and services provided by the

Programme's components ***both within and outside the Union***;

## Amendment 66

### Proposal for a regulation

#### Article 4 – paragraph 1 – point c

*Text proposed by the Commission*

(c) enhance the security of the Union and its Member States, ***its freedom of action*** and its strategic autonomy, in particular in ***terms of technologies and evidence-based decision-making***;

*Amendment*

(c) enhance the security, ***including cybersecurity***, of the Union and its Member States, and ***reinforce*** its strategic autonomy, in particular in ***industrial and technological terms***;

## Amendment 67

### Proposal for a regulation

#### Article 4 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) strengthen the European industrial and scientific ecosystem in the field of space, by establishing a coherent framework that combines the excellence of European training and know-how, the development of high-level design, manufacturing capabilities and the strategic vision needed in an increasingly competitive sector;***

## Amendment 68

### Proposal for a regulation

#### Article 4 – paragraph 1 – point d

*Text proposed by the Commission*

(d) promote the role of the Union in the international arena as a leading actor in the space sector and strengthening its role in tackling global challenges and supporting global initiatives, including with ***regards*** to ***climate change and*** sustainable

*Amendment*

(d) promote the role of the Union in the international arena as a leading actor in the space sector and strengthening its role in tackling global challenges and supporting global initiatives, including with ***regard*** to

development.

sustainable development;

#### **Amendment 69**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) strengthen the Union’s space diplomacy and encourage international cooperation to raise awareness of space as a common heritage of mankind;***

#### **Amendment 70**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(db) promote Union technology and industry and foster the principle of reciprocity and fair competition at international level;***

#### **Amendment 71**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

***(dc) enhance the safety of the Union and its Member States in various fields, in particular in transportation (aviation, including unmanned aerial vehicles, rail transports, navigation, road transports, autonomous driving), infrastructure building and monitoring, land monitoring and environment.***

#### **Amendment 72**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) for Galileo and EGNOS: to provide *of* state-of-the-art and, where appropriate, secure positioning, navigation and timing services;

*Amendment*

(a) for Galileo and EGNOS: to provide ***long-term and continuous*** state-of-the-art and, where appropriate, secure positioning, navigation and timing services;

**Amendment 73**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) for Copernicus: to deliver accurate and reliable Earth Observation data and information, supplied on a long-term basis, to support the implementation and monitoring of the Union and its Member States' policies ***in the fields of the environment, climate change, agriculture and rural development, civil protection, safety and security, as well as the digital economy;***

*Amendment*

(b) for Copernicus: to deliver accurate and reliable Earth Observation data and information, supplied on a long-term basis, to support the implementation and monitoring of the Union and its Member States' ***user-driven*** policies ***and actions;***

**Amendment 74**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) for Space Situational Awareness ('SSA'): to enhance SST capabilities to monitor, track and identify space objects, to monitor space weather and to map and network Member States NEO capacities;

*Amendment*

(c) for Space Situational Awareness ('SSA'): to enhance SST capabilities to monitor, track and identify space objects ***and space debris,*** to monitor space weather and to map and network Member States NEO capacities;

**Amendment 75**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point e**

*Text proposed by the Commission*

(e) to **contribute, where this is required for the needs of the Programme, to** an autonomous, secure and cost-efficient capability to access space;

*Amendment*

(e) to **ensure** an autonomous, secure and cost-efficient capability to access **to** space;

## **Amendment 76**

### **Proposal for a regulation**

#### **Article 4 – paragraph 2 – point f**

*Text proposed by the Commission*

(f) **support and reinforce the competitiveness, entrepreneurship, skills and capacity to innovate of legal and natural persons from the Union active or wishing to become active in that sector, with particular regard to the position and needs of small and medium-sized enterprises and start-ups.**

*Amendment*

(f) **to foster the development of a strong and competitive Union space economy and maximise opportunities for Union enterprises of all sizes and all Union regions.**

## **Amendment 77**

### **Proposal for a regulation**

#### **Article 5 – paragraph 1 – introductory part**

*Text proposed by the Commission*

The Programme shall support:

*Amendment*

The Programme, **in synergy with other Union and European Space Agency programmes and funding schemes**, shall support:

## **Amendment 78**

### **Proposal for a regulation**

#### **Article 5 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) provision of launching services for the **needs of the** Programme;

*Amendment*

(a) provision of launching services for the Programme **including aggregate launching service for the Union and for**

*other entities, at their request, taking into account the essential security interests of the Union in accordance with Article 25, in order to enhance the competitiveness of European launchers and industries on the global market,*

## Amendment 79

### Proposal for a regulation Article 5 – paragraph 1 – point b

*Text proposed by the Commission*

(b) development activities linked to autonomous, reliable and cost-efficient access to space;

*Amendment*

(b) development activities linked to autonomous, reliable and cost-efficient access to space *including alternative launching technologies and innovative systems or services, taking into account the essential security interests of the Union and its Member States, in accordance with Article 25;*

## Amendment 80

### Proposal for a regulation Article 5 – paragraph 1 – point c

*Text proposed by the Commission*

(c) where this is required for the *needs* of the Programme, the necessary adaptations *to* the space ground infrastructure.

*Amendment*

(c) where this is required for the *objectives* of the Programme, the necessary *support for the maintenance, and developments of* the space ground infrastructure, *in particular existing infrastructures, rocket ranges and research centres.*

## Amendment 81

### Proposal for a regulation Article 6 – title

*Text proposed by the Commission*

Actions in support of an innovative Union

*Amendment*

Actions in support of an innovative *and*

space sector

*competitive* Union space sector

## Amendment 82

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a

*Text proposed by the Commission*

(a) innovation activities for making best use of space technologies, infrastructure or services;

*Amendment*

(a) innovation activities for ***developing and*** making best use of space technologies, infrastructure or services;

## Amendment 83

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) appropriate measures to facilitate the uptake of innovative solutions resulting from research and innovation activities, in particular through synergies with other Union Funds, such as Horizon Europe and InvestEU, in order to support the development of downstream sectors of all the components of the Programme;***

## Amendment 84

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a b (new)

*Text proposed by the Commission*

*Amendment*

***(ab) strengthening the European space sector in the export market;***

## Amendment 85

### Proposal for a regulation

#### Article 6 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the establishment of space-related innovation partnerships to develop innovative products or services and for the subsequent purchase of the resulting *supply* or services;

*Amendment*

(b) the establishment of space-related innovation partnerships to develop innovative products or services and for the subsequent purchase of the resulting *products* or services *for the needs of the Programme*;

**Amendment 86**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) design, testing, implementation and deployment of data-driven interoperable space solutions for public services, fostering innovation and establishing common frameworks in order to realise the full potential of public administrations' services for citizens and businesses;*

**Amendment 87**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) entrepreneurship, from early stage to scaling-up, in accordance with Article 21 and other access to finance provisions as referred to in Article 18 and Chapter I of Title III;

(c) entrepreneurship, *including* from early stage to scaling-up, in accordance with Article 21 *and by relying on* other access to finance provisions as referred to in Article 18 and Chapter I of Title III;

**Amendment 88**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) cooperation ***between undertakings*** in the form of space hubs bringing together, at regional and national levels, actors from the space and digital sectors, as well as users, and providing support to citizens and companies to foster entrepreneurship and skills;

*Amendment*

(d) cooperation in the form ***of a network*** of space hubs bringing together, ***in particular*** at regional and national levels, actors from the space and digital sectors, as well as users, and providing support, ***facilities and services*** to citizens and companies to foster entrepreneurship and skills; ***fostering cooperation between the space hubs and the digital innovation hubs established under the Digital Europe Programme;***

## **Amendment 89**

### **Proposal for a regulation**

#### **Article 6 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) the possible development of a ‘first contract approach strategy’ with all relevant public and private sector actors to support the development of space start-ups;***

## **Amendment 90**

### **Proposal for a regulation**

#### **Article 6 – paragraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(db) Synergies with the transport, space and digital sectors in order to foster the broader use of new technologies (such as e-call, digital tachograph, traffic supervisions and management, autonomous driving, unmanned vehicles and drones) and tackle the needs of secure and seamless connectivity, robust positioning, inter modality and interoperability, thus enhancing the competitiveness of transport services and industry;***

## Amendment 91

### Proposal for a regulation

#### Article 6 – paragraph 1 – point e

*Text proposed by the Commission*

(e) provision of education and training activities;

*Amendment*

(e) provision of education and training activities ***in order to develop advanced space skills***;

## Amendment 92

### Proposal for a regulation

#### Article 6 – paragraph 1 – point f

*Text proposed by the Commission*

(f) access to processing and testing facilities;

*Amendment*

(f) access to processing and testing facilities ***for private and public sector professionals, students and entrepreneurs***;

## Amendment 93

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c

*Text proposed by the Commission*

(c) does not confer to the third country or international organisation a decisional power on the programme;

*Amendment*

(c) does not confer to the third country or international organisation a decisional power on the programme ***or, where appropriate, access to sensitive or classified information***;

## Amendment 94

### Proposal for a regulation

#### Article 7 – paragraph 2 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(da) preserves, where appropriate, the strategic and sovereign interests of the***

*Union in all relevant areas, including European technological or industrial strategic autonomy;*

## Amendment 95

### Proposal for a regulation Article 9 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall take the necessary steps to ensure that the contracts, agreements or other arrangements relating to the activities referred to in the **first** paragraph contain provisions setting out the appropriate ownership regime for those assets and, as regards point (c) that the Union can freely use the PRS receivers in accordance with Decision 1104/2011/EU.

*Amendment*

3. The Commission shall take the necessary steps to ensure that the contracts, agreements or other arrangements relating to the activities referred to in the **second** paragraph contain provisions setting out the appropriate ownership **and use** regime for those assets and, as regards point (c) that the Union can freely use **and grant the use of** the PRS receivers in accordance with Decision 1104/2011/EU.

## Amendment 96

### Proposal for a regulation Article 10 – paragraph 1

*Text proposed by the Commission*

The services, data and information provided by the Programme's components shall be provided without any express or implied guarantee as regards their quality, accuracy, availability, reliability, speed and suitability for any purpose. To that aim, the Commission shall take the necessary steps to ensure that the users of those services, data and information are informed, in an appropriate manner, of the absence of any such guarantee.

*Amendment*

The services, data and information provided by the Programme's components shall be provided without any express or implied guarantee as regards their quality, accuracy, availability, reliability, speed and suitability for any purpose, **unless such a guarantee is required by applicable Union law for the provision of the services concerned**. To that aim, the Commission shall take the necessary steps to ensure that the users of those services, data and information are informed, in an appropriate manner, of the absence of any such guarantee.

## Amendment 97

**Proposal for a regulation**  
**Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The financial envelope for the implementation of the Programme for the period 2021 – 2027 shall be EUR [16] billion in current prices.

*Amendment*

The financial envelope for the implementation of the Programme for the period 2021 – 2027 shall be EUR [16,9] billion in current prices.

**Amendment 98**

**Proposal for a regulation**  
**Article 11 – paragraph 1 – subparagraph 2 – point b**

*Text proposed by the Commission*

(b) for Copernicus: EUR [5,8] billion;

*Amendment*

(b) for Copernicus: EUR [6] billion;

**Amendment 99**

**Proposal for a regulation**  
**Article 11 – paragraph 1 – subparagraph 2 – point c**

*Text proposed by the Commission*

(c) for SSA/GOVSATCOM: EUR [0,5] billion.

*Amendment*

(c) for SSA/GOVSATCOM: EUR [1,2] billion.

**Amendment 100**

**Proposal for a regulation**  
**Article 11 – paragraph 2**

*Text proposed by the Commission*

2. Cross-cutting activities as foreseen by *Article 3* shall be financed under the Programme's components.

*Amendment*

2. Cross-cutting activities as foreseen by *Articles 3, 5 and 6* shall be financed under the Programme's components.

**Amendment 101**

**Proposal for a regulation**  
**Article 14 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) to promote ***in all Member States***, throughout the supply chain, the widest and most open participation possible of start-ups, new entrants and small and medium sized enterprises ***and other economic operators***, including the requirement of sub-contracting by the tenderers;

*Amendment*

(a) to promote ***throughout the Union and*** throughout the supply chain, the widest and most open participation possible of ***all economic operators, and in particular*** start-ups, new entrants and small and medium sized enterprises, including the requirement of sub-contracting by the tenderers;

**Amendment 102**

**Proposal for a regulation**  
**Article 14 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) to foster the autonomy of the Union, in particular in technological terms;

*Amendment*

(d) to foster the ***strategic*** autonomy of the Union, in particular in ***industrial and*** technological terms, ***throughout the entire value chain***;

**Amendment 103**

**Proposal for a regulation**  
**Article 14 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*(da) to follow the principles of open access and fair competition throughout the industrial supply chain, tendering on the basis of the provision of transparent and timely information, clear communication of the applicable procurement rules, selection and award criteria and any other relevant information allowing a level-playing field for all potential bidders;*

*Amendment*

**Amendment 104**

**Proposal for a regulation**  
**Article 17 – paragraph 1**

*Text proposed by the Commission*

1. To encourage new entrants, small and medium enterprises and start-ups, and to offer the widest possible geographic coverage while protecting the Union's strategic autonomy, the contracting authority **may** request **that** the tenderer subcontract part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those which belong to the tenderer's group.

*Amendment*

1. To encourage new entrants, **in particular** small and medium-sized enterprises and start-ups, and to offer the widest possible geographic coverage while protecting the Union's strategic autonomy, the contracting authority **shall endeavour to** request the tenderer **to** subcontract part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those which belong to the tenderer's group.

**Amendment 105**

**Proposal for a regulation**  
**Article 17 – paragraph 2**

*Text proposed by the Commission*

2. The contracting authority shall express the requisite share of the contract to be subcontracted in the form of a range from a minimum to a maximum percentage.

*Amendment*

2. The contracting authority shall express the requisite share of the contract to be subcontracted **to industry at all levels, pursuant to paragraph 1**, in the form of a range from a minimum to a maximum percentage.

**Amendment 106**

**Proposal for a regulation**  
**Article 17 – paragraph 3**

*Text proposed by the Commission*

3. Any derogation from a request in accordance with paragraph 1 shall be justified by the tenderer.

*Amendment*

3. Any derogation from a request in accordance with paragraph 1 shall be justified by the tenderer **and assessed by the contracting authority**.

**Amendment 107**

**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

In the case of a joint call, joint procedures shall be established for selection and evaluation of proposals. The procedures **must** involve a balanced group of experts appointed by each party.

*Amendment*

In the case of a joint call, joint procedures shall be established for selection and evaluation of proposals. The procedures **shall** involve a balanced group of experts appointed by each party. **Such experts shall not evaluate, advise or assist on matters in relation to which they have a conflict of interests.**

**Amendment 108**

**Proposal for a regulation  
Article 24 – paragraph 1**

*Text proposed by the Commission*

1. In addition to the provisions of [Article 165] of the Financial Regulation, the Commission **and** the Agency may carry out joint procurement procedures with the European Space Agency or other international organisations involved in implementing the components of the Programme.

*Amendment*

1. In addition to the provisions of [Article 165] of the Financial Regulation, the Commission **or** the Agency may carry out joint procurement procedures with the European Space Agency or other international organisations involved in implementing the components of the Programme.

**Amendment 109**

**Proposal for a regulation  
Article 25 – paragraph 1**

*Text proposed by the Commission*

Where necessary for the protection of the essential security interest of the Union and its Member States, in particular with regard to the need to preserve the integrity and resilience of the Union systems, as well as the autonomy of the industrial basis on which they rely, the Commission shall set the requisite eligibility conditions applicable to the procurement, grants or prizes covered by this Title. Particular regard shall be had, for that purpose, to the need for eligible undertakings to be

*Amendment*

Where necessary for the protection of the essential security interest of the Union and its Member States, in particular with regard to the need to preserve the integrity and resilience of the Union systems, as well as the autonomy of the industrial basis on which they rely, the Commission shall set the requisite eligibility conditions applicable to the procurement, grants or prizes covered by this Title. Particular regard shall be had, for that purpose, to the need for eligible undertakings to be

established in a Member State, to commit to carry out any relevant activities inside the Union ***and to be effectively controlled by Member States or nationals of Member States***. Those conditions shall be included in the documents relating to the procurement, grant or prize, as applicable. In the case of procurement, the conditions shall apply to the full life cycle of the resulting contract.

established in a Member State, to commit to carry out any relevant activities inside the Union. Those conditions shall be included in the documents relating to the procurement, grant or prize, as applicable. In the case of procurement, the conditions shall apply to the full life cycle of the resulting contract.

## Amendment 110

### Proposal for a regulation Article 27 – paragraph 1 – point a

*Text proposed by the Commission*

(a) strict distribution of tasks and responsibilities between the entities involved in the implementation of the Programme, in particular between the Member States, the Commission, the Agency and the European Space Agency;

*Amendment*

(a) strict distribution of tasks and responsibilities between the entities involved in the implementation of the Programme, in particular between the Member States, the Commission, the Agency and the European Space Agency, ***based on each entity's competences, improving transparency, effectiveness and cost-efficiency and avoidance of overlap of activities;***

## Amendment 111

### Proposal for a regulation Article 27 – paragraph 1 – point b

*Text proposed by the Commission*

(b) strong control of the Programme, including strict adherence to cost and ***schedule*** by all the entities, within their respective fields of ***competence*** in accordance with this Regulation;

*Amendment*

(b) strong control of the Programme, including strict adherence to cost and ***technical performance*** by all the entities, within their respective fields of ***responsibility*** in accordance with this Regulation;

## Amendment 112

**Proposal for a regulation**  
**Article 27 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) systematic consideration of the needs of users of the services provided by the Programme's components, as well as of scientific and technological evolutions relating to those services;

*Amendment*

(d) systematic consideration of the needs of users of the services provided by the Programme's components, as well as of scientific and technological evolutions relating to those services, ***also through the consultation of the advisory User Fora at national and Union level;***

**Amendment 113**

**Proposal for a regulation**  
**Article 28 – paragraph 2**

*Text proposed by the Commission*

2. The Commission or, for the tasks referred to in Article 30, the Agency may entrust specific tasks to Member States or ***national agencies or*** to groups of these Member States ***or national agencies***. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme and the promotion of their use, including by helping to protect the frequencies required for this programme.

*Amendment*

2. The Commission or, for the tasks referred to in Article 30, the Agency may entrust specific tasks to Member States or to groups of these Member States, ***subject to specific case-by-case agreement***. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme and the promotion of their use, including by helping to protect the frequencies required for this programme ***at an adequate level***.

**Amendment 114**

**Proposal for a regulation**  
**Article 28 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Member States shall pursue a proactive and coordinated consultation of end-users' communities, in particular regarding Galileo, EGNOS and Copernicus, including through advisory User Fora.***

## Amendment 115

### Proposal for a regulation Article 29 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall have overall responsibility for the implementation of the Programme, **including** in the field of security. It shall, in accordance with this Regulation, determine the priorities and long-term evolution of the Programme and shall supervise its implementation, having due regard to its impact on other policies of the Union.

*Amendment*

1. The Commission shall have overall responsibility for the implementation of the Programme **and the responsibility** in the field of security **for the components of the Programme not entrusted to the Agency pursuant to Article 30**. It shall, in accordance with this Regulation, determine the priorities and long-term evolution of the Programme and shall supervise its implementation, having due regard to its impact on other policies of the Union.

## Amendment 116

### Proposal for a regulation Article 29 – paragraph 2

*Text proposed by the Commission*

2. The Commission shall manage the component of the Programme where such management is not entrusted to **another entity**.

*Amendment*

2. The Commission shall manage the component of the Programme where such management is not entrusted to **other entities referred to in Articles 30, 31 and 32**.

## Amendment 117

### Proposal for a regulation Article 29 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall ensure a clear division of tasks between the various entities involved in the Programme and coordinate the activities of those entities.

*Amendment*

3. The Commission shall ensure a clear division of tasks between the various entities involved in the Programme and coordinate the activities of those entities **and shall ensure the full protection of the interest of the Union, the sound management of its funds and the application of its rules, in particular those**

*related to procurement. Therefore the Commission shall conclude with the Agency and the European Space Agency a Financial Framework Partnership agreement, related to the tasks entrusted to the two entities, as referred to in Article 31a.*

## Amendment 118

### Proposal for a regulation Article 29 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a.** *Concerning the specific provision on the functioning and the governance of space weather and NEO functions, and GOVSATCOM, the Commission shall adopt delegated acts, in accordance with Article 105.*

## Amendment 119

### Proposal for a regulation Article 29 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

When necessary for the smooth functioning of the Programme and the smooth provision of the services provided by the Programme's components, the Commission shall, by means of **implementing** acts, determine the **technical and operational specifications required** for the implementation of and evolution of those components and of the services they provide after having consulted users and all the other relevant stakeholders. When determining those **technical and operational specifications**, the Commission shall avoid reducing the general security level and to meet a backward compatibility imperative.

When necessary for the smooth functioning of the Programme and the smooth provision of the services provided by the Programme's components, the Commission shall, by means of **delegated** acts, determine the **high-level requirements** for the implementation of and evolution of those components and of the services they provide after having consulted users and all the other relevant stakeholders, **including the downstream sector**. When determining those **high-level requirements**, the Commission shall avoid reducing the general security level and to meet a backward compatibility imperative.

## Amendment 120

### Proposal for a regulation Article 29 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

Those **implementing** acts shall be adopted in accordance with **the examination procedure referred to in Article 107(3)**.

*Amendment*

Those **delegated** acts shall be adopted in accordance with Article 21.

## Amendment 121

### Proposal for a regulation Article 29 – paragraph 5

*Text proposed by the Commission*

5. The Commission **shall promote and ensure the uptake and use of the data and services provided by the Programme's components in the public and private sectors, including by supporting appropriate development of those services and by fostering a stable long-term environment. It shall develop synergies between the applications of the various components of the Programme.** It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.

*Amendment*

5. The Commission shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes. **It shall, in close cooperation with the Agency and, where applicable, the European Space Agency and the Copernicus entrusted entities support and contribute to:**

- **the activities relating to the uptake and use of the data and services provided by the Programme's components in the public and private sectors;**
- **the development of synergies between the applications;**
- **the appropriate development of those services;**
- **fostering a stable long-term environment.**

## Amendment 122

**Proposal for a regulation**  
**Article 29 – paragraph 6**

*Text proposed by the Commission*

6. Where appropriate, it shall ensure the coordination with activities carried out in the space sector at Union, national and international level. It shall encourage cooperation between the Member States and promote convergence of their technological capacities and developments in the space domain.

*Amendment*

6. Where appropriate ***and in cooperation with the Agency and the European Space Agency***, it shall ensure the coordination with activities carried out in the space sector at Union, national and international level. It shall encourage cooperation between the Member States and promote convergence of their technological capacities and developments in the space domain.

**Amendment 123**

**Proposal for a regulation**  
**Article 30 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) promote and ensure the uptake and use of the data and services provided by the Programme’s components, including the development of downstream applications and services based on the Programme’s components;***

**Amendment 124**

**Proposal for a regulation**  
**Article 30 – paragraph 1 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(bb) implement actions in support of an innovative Union Space Sector in accordance with Article 6;***

**Amendment 125**

**Proposal for a regulation**  
**Article 30 – paragraph 1 – point b c (new)**

*Text proposed by the Commission*

*Amendment*

***(b c) support access to finance through the financial instruments under Title III and InvestEU, as well as, in cooperation with EIB, through the financial instruments established by the latter addressing in particular SMEs;***

## **Amendment 126**

### **Proposal for a regulation**

#### **Article 30 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) undertake communication and promotion activities, and activities relating to the commercialisation of the services offered by Galileo ***and*** EGNOS;

(c) undertake communication and promotion activities, and activities relating to the commercialisation of the services offered ***in particular*** by Galileo, EGNOS, ***and Copernicus***;

## **Amendment 127**

### **Proposal for a regulation**

#### **Article 30 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) as regards Galileo and EGNOS: managing Galileo and EGNOS, as referred to in Article 43;***

## **Amendment 128**

### **Proposal for a regulation**

#### **Article 30 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) provide technical expertise to the Commission.

(d) provide technical expertise to the Commission, ***avoiding duplication with ESA tasks under Article 27 and 31.***

## Amendment 129

### Proposal for a regulation Article 30 – paragraph 2 – point a

*Text proposed by the Commission*

*Amendment*

**(a) managing the exploitation of EGNOS and Galileo, as referred to in Article 43;**

**deleted**

## Amendment 130

### Proposal for a regulation Article 30 – paragraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(ba) provide recommendations to the Commission on the priorities of space domain in Horizon Europe and participate in its implementation;**

## Amendment 131

### Proposal for a regulation Article 30 – paragraph 2 – point c

*Text proposed by the Commission*

*Amendment*

**(c) implementing activities relating to the development of downstream applications and services based on the components of the Programme.**

**deleted**

## Amendment 132

### Proposal for a regulation Article 30 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. The Commission may entrust other tasks to the Agency, **including undertaking communication, promotion, and marketing of data and information**

3. The Commission may entrust other tasks to the Agency, **avoiding duplication and on the basis of improved efficiency in the implementation of** the Programme's

*activities, as well as other activities related to user uptakes with regard to the Programme's components other than Galileo and EGNOS.*

*objectives.*

#### **Amendment 133**

##### **Proposal for a regulation Article 30 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. The Agency may sign partnership agreements or other agreements with national space agencies, a group of national space agencies or other entities for the purpose of fulfilment of its tasks.**

#### **Amendment 134**

##### **Proposal for a regulation Article 30 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. The tasks referred to in paragraphs 2 and 3 shall be entrusted by the Commission by means of a contribution agreement in accordance with [Article 2(18)] and [Title VI] of the Financial Regulation.

4. The tasks referred to in paragraphs 2 and 3 shall be entrusted by the Commission by means of a contribution agreement in accordance with [Article 2(18)] and [Title VI] of the Financial Regulation **and shall be reviewed in accordance with Article 102(6) of this Regulation, in particular regarding the Copernicus component.**

#### **Amendment 135**

##### **Proposal for a regulation Article 30 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. Whenever entrusting tasks to the Agency the Commission shall ensure appropriate funding for their management and execution including adequate human and administrative**

*resources.*

## Amendment 136

### Proposal for a regulation

#### Article 31 – paragraph 1 – point a

*Text proposed by the Commission*

(a) as regards Copernicus: development, design and construction of the Copernicus space infrastructure, including the operations of that infrastructure;

*Amendment*

(a) as regards Copernicus: development, design and construction of the Copernicus space **and ground** infrastructure, including the operations of that infrastructure;

## Amendment 137

### Proposal for a regulation

#### Article 31 – paragraph 1 – point b

*Text proposed by the Commission*

(b) as regards Galileo and EGNOS: systems evolution, **development of the ground segment and the** design and development of **satellites**;

*Amendment*

(b) as regards Galileo and EGNOS: **support to the Agency in the execution of its core tasks. When provided for in specific agreements concluded between the Agency and the European Space Agency, procurement in the name and on behalf of the Agency of** systems evolution, design and development of the ground segment and the design and development of **the space segment**;

## Amendment 138

### Proposal for a regulation

#### Article 31 – paragraph 1 – point c

*Text proposed by the Commission*

(c) as regards all the components of the Programme with research and development activities **in its fields of expertise**.

*Amendment*

(c) as regards all the components of the Programme with research and development activities **concerning the Programme components infrastructures**.

## Amendment 139

### Proposal for a regulation Article 31 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) encouragement of the cooperation between the Member States and promotion of the convergence of their technological capacities and developments in the space segment.***

## Amendment 140

### Proposal for a regulation Article 31 – paragraph 2

*Text proposed by the Commission*

*Amendment*

***2. The Commission shall conclude with the Agency and the European Space Agency a financial framework partnership agreement as provided for in [Article 130] of the Financial Regulation. That financial framework partnership agreement shall:***

***deleted***

- clearly define the responsibilities and obligations of the European Space Agency with regard to the Programme;***
- require that the European Space Agency complies with the security rules of the Union programme, in particular with regard to the processing of classified information;***
- stipulate the conditions of the management of funds entrusted to the European Space Agency, particularly with regard to public procurement, management procedures, the expected results measured by performance indicators, applicable measures in the event of deficient or fraudulent implementation of the contracts in terms of costs, schedule and results, as well as the communication strategy and the rules regarding ownership of all tangible and***

*intangible assets; these conditions shall be in conformity with Titles III and V of this regulation and the Financial Regulation;*

- require the participation of the Commission and, when relevant, the Agency in the Tender Evaluation Board meetings of the European Space Agency with regard to the Programme;*
- establish the monitoring and control measures, which shall include, in particular, a cost forecast system, the systematic provision of information to the Commission or, where appropriate, to the Agency, on costs and schedule, and in the event of a discrepancy between the planned budgets, performance and schedule, corrective action ensuring performance of the tasks assigned within the limits of the allocated budgets and penalties against the European Space Agency where this discrepancy is directly attributable to it;*
- establish the principles for the remuneration of the European Space Agency, which shall be proportionate to the difficulty of the tasks to be carried out, in line with market prices and the fees of the other entities involved, including the Union, and may, where appropriate, be based on performance indicators; those fees shall not cover general overheads which are not associated with the activities entrusted to the European Space Agency by the Union.*

#### **Amendment 141**

##### **Proposal for a regulation Article 31 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The conclusion of the financial framework partnership agreement referred to in paragraph 2 shall be contingent upon the establishment, within the European Space Agency, of internal**

**deleted**

*structures and of an operational method, in particular for decision-making, management methods and liability, which make it possible to ensure maximum protection for the interests of the Union and to comply with its decisions, including for the activities financed by the European Space Agency, which have an impact on the Programme.*

#### **Amendment 142**

##### **Proposal for a regulation Article 31 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. Without prejudice to the financial framework partnership agreement referred to in paragraph 4, the Commission or the Agency may ask the European Space Agency to provide technical expertise and the information necessary to perform the tasks which are assigned to them by this Regulation.**

*deleted*

#### **Amendment 143**

##### **Proposal for a regulation Article 31 a (new)**

*Text proposed by the Commission*

*Amendment*

##### **Article 31 a**

***The financial framework partnership agreement***

***1. The Commission shall conclude with the Agency and the European Space Agency a financial framework partnership agreement as provided for in [Article 130] of the Financial Regulation. That financial framework partnership agreement shall:***

***(a) clearly define the roles, responsibilities and obligations of the Commission, the Agency and the European Space Agency***

*with regard to the Programme;*

*(b) clearly define the instruments of coordination and control for the implementation of the Programme components, taking into consideration the Commission's roles and responsibilities to carry out overall coordination of the Programme components;*

*(c) require that the European Space Agency comply with the security rules of the Union programme, in particular with regard to the processing of classified information;*

*(d) stipulate the conditions of the management of funds entrusted to the European Space Agency, including the application of Union public procurement rules, when procuring in the name and on behalf of the Union, management procedures, the expected results measured by performance indicators, applicable measures in the event of deficient or fraudulent implementation of the contracts in terms of costs, schedule and results, as well as the communication strategy and the rules regarding ownership of all tangible and intangible assets; these conditions shall be in conformity with Titles III and V of this Regulation and with the Financial Regulation;*

*(e) require the participation of the Commission and, when relevant, the Agency in the Tender Evaluation Board meetings of the European Space Agency with regard to the Programme, where the latter procures in the name and on behalf of the Union pursuant to paragraph 1a;*

*(f) establish the monitoring and control measures, which shall include, in particular, a cost forecast system, the systematic provision of information to the Commission or, where appropriate, to the Agency, on costs and schedule, and in the event of a discrepancy between the planned budgets, performance and schedule, corrective action ensuring*

*performance of the tasks assigned within the limits of the allocated budgets and penalties against the European Space Agency where this discrepancy is directly attributable to it;*

*(g) establish the principles for the remuneration of the European Space Agency, taking into consideration its cost model as a public entity, which shall be proportionate to the difficulty of the tasks to be carried out, in line with market prices and the fees of the other entities involved, including the Union, and may, where appropriate, be based on performance indicators; those fees shall not cover general overheads which are not associated with the activities entrusted to the European Space Agency by the Union;*

*(h) require that the European Space Agency ensures full protection of the interests of the Union and its decisions, which may also lead to the European Space Agency having to adapt its decision-making, management methods and liability provisions.*

*2. Without prejudice to the financial framework partnership agreement referred to in Article 31a, the Commission or the Agency may ask the European Space Agency to provide technical expertise and the information necessary to perform the tasks which are assigned to them by this Regulation. The conditions for such requests and their implementation shall be mutually agreed.*

## **Amendment 144**

### **Proposal for a regulation Article 32 – title**

*Text proposed by the Commission*

*Amendment*

Role of other entities

Role of *EUMETSAT and* other entities

## Amendment 145

### Proposal for a regulation

#### Article 32 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. The Commission may entrust, in full or in part, by means of contribution agreements the implementation of the ***Programme's components*** to entities other than those referred to in Article 30 and 31, including :

*Amendment*

1. The Commission may entrust, in full or in part, by means of contribution agreements, the implementation of the ***following tasks*** to entities other than those referred to in Article 30 and 31, including :

## Amendment 146

### Proposal for a regulation

#### Article 32 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the operation of the Copernicus space infrastructure or parts thereof, which may be entrusted EUMETSAT;

*Amendment*

(a) the ***upgrading and*** operation of the Copernicus space infrastructure or parts thereof, which may be entrusted EUMETSAT;

## Amendment 147

### Proposal for a regulation

#### Article 32 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the implementation of the Copernicus services or parts thereof to relevant agencies, bodies or organisations.

*Amendment*

(b) the implementation of the Copernicus services or parts thereof to relevant agencies, bodies or organisations, ***managing also the relevant third party information acquisition.***

## Amendment 148

### Proposal for a regulation

#### Article 32 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. The Commission shall take account of the scientific and technical advice of the Joint Research Centre for the implementation of the Programme.**

#### **Amendment 149**

##### **Proposal for a regulation**

##### **Article 33 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The security of the Programme **should** be based on the following principles:

The security of the Programme **shall** be based on the following principles:

#### **Amendment 150**

##### **Proposal for a regulation**

##### **Article 33 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) to take account of the experience of the Member States in the field of security and draw inspiration from their best practices;

(a) to take account of the experience of the Member States in the field of security and draw inspiration from their best practices **and national laws**;

#### **Amendment 151**

##### **Proposal for a regulation**

##### **Article 33 – paragraph 1 – point a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) to take account of the experience gained in the operation of Galileo, EGNOS and Copernicus;**

#### **Amendment 152**

##### **Proposal for a regulation**

##### **Article 34 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

The Commission, in *its* field of competence, shall ensure a high degree of security with regard to, in particular:

*Amendment*

The Commission **and the Agency**, in **their** field of competence, shall ensure a high degree of security with regard to, in particular:

**Amendment 153**

**Proposal for a regulation**

**Article 34 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

To that end, the Commission shall **ensure that** a risk and threat analysis **is performed for each Programme's component**. Based on that risk and threat analysis, **it** shall determine, by means of implementing acts, for each component of the Programme, the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of that component, in particular in terms of cost, risk management and schedule, and shall ensure not to reduce the general level of security or undermine the functioning of the existing equipment based on that component. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

*Amendment*

To that end, the Commission shall **carry out in consultation with end users in Member States and the relevant entities managing the implementation of a component of the Programme** a risk and threat analysis **for the Copernicus, SST and GOVSATCOM components. The Agency shall carry out a risk and threat analysis for the Galileo and EGNOS components**. Based on that risk and threat analysis, **the Commission in consultation with end users in Member States and the relevant entities managing the implementation of a component of the Programme** shall determine, by means of implementing acts, for each component of the Programme, the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of that component, in particular in terms of cost, risk management and schedule, and shall ensure not to reduce the general level of security or undermine the functioning of the existing equipment based on that component. **The general security requirements shall set out the procedures to be followed whenever the security of the Union or its Member States may be affected by the operation of a component**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

## Amendment 154

### Proposal for a regulation Article 34 – paragraph 2

*Text proposed by the Commission*

2. The **entity** responsible for **the management of a component** of the **Programme** shall be responsible for managing the security of **that component and shall**, to that end, carry out **risk and threat analysis and** all the necessary activities to ensure and monitor the security of **that component**, in particular setting of technical specifications and operational procedures, and monitor their compliance with the general security requirements referred to in paragraph 1.

*Amendment*

2. The **Commission shall be** responsible for **managing the security** of the **Copernicus, SSA and GOVSATCOM components**. **The Agency** shall be responsible for managing the security of **the Galileo and EGNOS components**. To that end, **they shall** carry out all the necessary activities to ensure and monitor the security of **the components for which they are responsible**, in particular **the** setting of technical specifications and **shall** operational procedures, and monitor their compliance with the general security requirements referred to in **the third subparagraph of** paragraph 1.

## Amendment 155

### Proposal for a regulation Article 34 – paragraph 3 – introductory part

*Text proposed by the Commission*

3. The Agency shall:

*Amendment*

3. The Agency shall **furthermore**:

## Amendment 156

### Proposal for a regulation Article 34 – paragraph 3 – point d a (new)

*Text proposed by the Commission*

*Amendment*

**(da) ensure the cyber security of the Programme;**

## Amendment 157

**Proposal for a regulation**  
**Article 34 – paragraph 4 – point a**

*Text proposed by the Commission*

(a) take measures which are at least equivalent to those necessary for the protection of European critical infrastructures within the meaning of Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection<sup>29</sup> and to those necessary for the protection of their own national critical infrastructures in order to ensure the protection of the ground infrastructure ***on the ground*** which form an integral part of the Programme and which are located on their territory;

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<sup>29</sup> OJ L 345, 23.12.2008, p. 75–82.

*Amendment*

(a) take measures which are at least equivalent to those necessary for the protection of European critical infrastructures within the meaning of Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection<sup>29</sup> and to those necessary for the protection of their own national critical infrastructures in order to ensure the protection of the ground infrastructure which form an integral part of the Programme and which are located on their territory;

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<sup>29</sup> OJ L 345, 23.12.2008, p. 75–82.

**Amendment 158**

**Proposal for a regulation**  
**Article 34 – paragraph 5**

*Text proposed by the Commission*

5. The entities involved in the Programme shall take all the ***measures*** necessary to ensure the security of the Programme.

**Amendment 159**

**Proposal for a regulation**  
**Article 38 – paragraph 2**

*Text proposed by the Commission*

2. A representative of the European Space Agency shall be invited to attend the meetings of the Security Accreditation

*Amendment*

5. The entities involved in the Programme shall take all the ***necessary measures, also in light of the issues identified in the risk analysis,*** to ensure the security of the Programme.

*Amendment*

2. A representative of the European Space Agency shall be invited to attend the meetings of the Security Accreditation

Board as an observer. On an exceptional basis, representatives of Union Agencies, third countries or international organisations may also be invited to attend meetings as observers *for matters directly relating to those third countries or international organisations*, especially matters concerning the infrastructure belonging to them or established on their territory. Arrangements for such participation of representatives of third countries or international organisations and the conditions *therefor* shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Security Accreditation Board.

Board as an observer. On an exceptional basis, representatives of Union Agencies, third countries or international organisations may also be invited to attend meetings as observers especially *for* matters concerning the infrastructure belonging to them or established on their territory. Arrangements for such participation of representatives of third countries or international organisations and the conditions *therefore* shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Security Accreditation Board.

## Amendment 160

### Proposal for a regulation Article 43 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the management, maintenance, continuous improvement, evolution and protection of the ground-based infrastructure, in particular networks, sites and support facilities, including upgrades and obsolescence management;

*Amendment*

(b) the management, maintenance, continuous improvement, evolution and protection of the ground-based infrastructure, *including infrastructure located outside Union territory, but necessary for providing Galileo and EGNOS with full coverage of the territories of Member States geographically located in Europe*, in particular networks, sites and support facilities, including upgrades and obsolescence management;

## Amendment 161

### Proposal for a regulation Article 43 – paragraph 1 – point c

*Text proposed by the Commission*

(c) the development of future generations of the systems and the evolution of the services provided by

*Amendment*

(c) the development of future generations of the systems and the evolution of the services provided by

Galileo and EGNOS, without prejudice to future decisions on the Union financial perspectives;

Galileo and EGNOS, without prejudice to future decisions on the Union financial perspectives, ***taking into account the needs of relevant stakeholders***;

#### **Amendment 162**

##### **Proposal for a regulation Article 43 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) support the development and evolution of fundamental technological elements, such as Galileo-enabled chipsets and receivers;***

#### **Amendment 163**

##### **Proposal for a regulation Article 43 – paragraph 1 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(cb) support for development of Galileo and EGNOS downstream applications and integrated downstream applications using both EGNOS/Galileo and Copernicus;***

#### **Amendment 164**

##### **Proposal for a regulation Article 43 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) the provision and market development of the services provided by Galileo and EGNOS;

(e) the provision and market development of the services provided by Galileo and EGNOS, ***in particular, in order to maximise the socio-economic benefits referred to in Article 4(1)***;

#### **Amendment 165**

**Proposal for a regulation**  
**Article 45 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) a safety-of-life (SoL) service, which shall be free of direct user charges and shall provide positioning and synchronisation information with a high level of continuity, availability **and** accuracy, including an integrity message alerting users to any failure in, or out-of-tolerance signals emitted by, Galileo and other GNSSs which it augments in the coverage area, intended mainly for users for whom safety is essential, in particular in the sector of civil aviation for the purpose of air navigation services.

*Amendment*

(c) a safety-of-life (SoL) service, which shall be free of direct user charges and shall provide positioning and **time** synchronisation information with a high level of continuity, availability, accuracy **and integrity. That service is provided in compliance with the EASA Regulation to ensure aviation safety requirements are met**, including an integrity message alerting users to any failure in, or out-of-tolerance signals emitted by, Galileo and other GNSSs which it augments in the coverage area, intended mainly for users for whom safety is essential, in particular in the sector of civil aviation for the purpose of air navigation services.

**Amendment 166**

**Proposal for a regulation**  
**Article 45 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

The services referred to in paragraph 1 shall be provided as a priority on the territory of Member States geographically located in Europe.

*Amendment*

The services referred to in paragraph 1 shall be provided as a priority on the territory of Member States geographically located in Europe **with the aim of covering the continental territories by the end of 2023 and all territories by the end of 2025.**

**Amendment 167**

**Proposal for a regulation**  
**Article 45 – paragraph 3**

*Text proposed by the Commission*

3. The cost of such extension, including the related operating costs specific to these regions, shall not be covered by the budget referred to in Article 11. Such extension

*Amendment*

3. The cost of such extension, including the related operating costs specific to these regions, shall not be covered by the budget referred to in Article 11, **but the**

shall not delay the offering of the services referred to in paragraph 1 throughout the territory of Member States geographically located in Europe.

***Commission shall consider the exploitation of partnership programmes and agreements and, if appropriate, the development of a specific financial instrument to support them.*** Such extension shall not delay the offering of the services referred to in paragraph 1 throughout the territory of Member States geographically located in Europe.

## **Amendment 168**

### **Proposal for a regulation Article 47 – title**

*Text proposed by the Commission*

*Amendment*

Compatibility **and** interoperability

Compatibility, interoperability **and standardisation**

## **Amendment 169**

### **Proposal for a regulation Article 47 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Galileo and EGNOS, and the services which they provide, shall be compatible and interoperable with other satellite navigation systems and with conventional means of radio navigation, where the necessary compatibility and interoperability requirements are laid down in international agreements.

2. Galileo and EGNOS, and the services which they provide, shall be **mutually** compatible and interoperable with other satellite navigation systems and with conventional means of radio navigation, where the necessary compatibility and interoperability requirements are laid down in international agreements.

## **Amendment 170**

### **Proposal for a regulation Article 47 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Galileo and EGNOS shall strive to comply with international standards and***

*certifications.*

#### **Amendment 171**

##### **Proposal for a regulation Article 48 – paragraph 1**

*Text proposed by the Commission*

1. Copernicus shall be implemented building on prior Union investments and, where appropriate, drawing on the national or regional capacities of Member States and taking into account the capacities of commercial suppliers of comparable data and information and the need to foster competition and market development.

*Amendment*

1. Copernicus shall be implemented building on prior Union, ***European Space Agency and EUMETSAT*** investments and, where appropriate, drawing on the national or regional capacities of Member States and taking into account the capacities of commercial suppliers of comparable data and information and the need to foster competition and market development.

#### **Amendment 172**

##### **Proposal for a regulation Article 48 – paragraph 2**

*Text proposed by the Commission*

2. Copernicus shall deliver data and information ***pursuing*** a full, free and open data policy.

*Amendment*

2. Copernicus shall deliver data and information ***based on*** a full, free and open data policy.

#### **Amendment 173**

##### **Proposal for a regulation Article 48 – paragraph 3 – point a – indent 1**

*Text proposed by the Commission*

– the development and operations of the Copernicus ***Sentinels***;

*Amendment*

– the development and operations of the Copernicus ***Sentinel satellites***;

#### **Amendment 174**

##### **Proposal for a regulation Article 48 – paragraph 3 – point c**

*Text proposed by the Commission*

(c) data access and distribution component, which shall include infrastructure and services to ensure the discovery, viewing, access to, distribution and exploitation of Copernicus data and Copernicus information;

*Amendment*

(c) data access and distribution component, which shall include infrastructure and services to ensure the discovery, viewing, ***long-term archiving***, access to, distribution and exploitation of Copernicus data and Copernicus information, ***in a user-friendly manner***;

**Amendment 175**

**Proposal for a regulation  
Article 48 – paragraph 3 – point d**

*Text proposed by the Commission*

(d) user uptake and market development component in accordance with Article 29(5), which shall include relevant activities, resources and services to promote Copernicus, its data and services at all levels to maximise socio-economic benefits which are referred to in Article 4(1).

*Amendment*

(d) user uptake, ***capacity building*** and market development component in accordance with Article 29(5), which shall include relevant activities, resources and services to promote Copernicus, its data and services at all levels to maximise socio-economic benefits which are referred to in Article 4(1).

**Amendment 176**

**Proposal for a regulation  
Article 48 – paragraph 4**

*Text proposed by the Commission*

4. Copernicus shall promote the international coordination of observation systems and related exchanges of data in order to strengthen its global dimension and complementarity taking account of existing international agreements and coordination processes.

*Amendment*

4. Copernicus shall promote the international coordination of observation systems and related exchanges of data in order to strengthen its global dimension and complementarity taking account of existing ***and future*** international agreements and coordination processes.

**Amendment 177**

**Proposal for a regulation  
Article 49 – title**

*Text proposed by the Commission*

*Amendment*

**Data acquisition**

**Eligible actions**

### **Amendment 178**

#### **Proposal for a regulation Article 49 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) actions to provide continuity of existing Sentinel missions and to develop, launch, maintain and operate further Sentinels expanding the observation scope, **giving priority to**: observation capacities for monitoring anthropogenic CO<sub>2</sub> and other greenhouse gas emissions, allowing for polar coverage and enabling innovative environmental applications in agriculture, forest and water management domains;

(a) actions to provide continuity of existing Sentinel missions and to develop, launch, maintain and operate further Sentinels expanding the observation scope, **such as**: observation capacities for monitoring anthropogenic CO<sub>2</sub> and other greenhouse gas emissions, allowing for polar coverage and enabling innovative environmental applications in agriculture, forest and water management domains;

### **Amendment 179**

#### **Proposal for a regulation Article 49 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) actions to provide access to third-party data necessary to generate Copernicus services or for use by **the Union's institutions**, agencies **and decentralised services**;

(b) actions to provide access to third-party data necessary to generate Copernicus services or for use by **core users, giving priority to data provided and/or funded by public entities in Member States, such as national** agencies;

### **Amendment 180**

#### **Proposal for a regulation Article 49 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) support for development of relevant Copernicus downstream applications and**

*services.*

## Amendment 181

### Proposal for a regulation

#### Article 50 – paragraph 1 – introductory part

*Text proposed by the Commission*

Copernicus shall include actions in support of the following services:

*Amendment*

Copernicus shall include actions in support of the following **core** services:

## Amendment 182

### Proposal for a regulation

#### Article 50 – paragraph 1 – point a – indent 3

*Text proposed by the Commission*

– land monitoring and agriculture to provide information on land cover, land use and land use change, **urban areas**, inland water quantity and quality, forests, agriculture and other natural resources, biodiversity and cryosphere;

*Amendment*

– land monitoring and agriculture to provide information on land cover, land use and land use change, **soil quality, desertification, cultural heritage sites**, inland water quantity and quality, forests **and in particular deforestation**, agriculture and other natural resources, biodiversity and cryosphere; **Member States will be able to use the information and data resulting from monitoring of the agricultural area regarding the degree of land cover and farmland utilisation, so as to further reduce the administrative burden of granting farm subsidies;**

## Amendment 183

### Proposal for a regulation

#### Article 50 – paragraph 1 – point a – indent 4 a (new)

*Text proposed by the Commission*

*Amendment*

– **mapping farmland in need of irrigation, crop forecasts and land use, and ensuring better food safety and quality by safeguarding the environment;**

## Amendment 184

### Proposal for a regulation

#### Article 50 – paragraph 1 – point a – indent 4 b (new)

*Text proposed by the Commission*

*Amendment*

- ***monitoring fishing activities, to ensure better food safety and quality by safeguarding the environment;***

## Amendment 185

### Proposal for a regulation

#### Article 50 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

- (aa) Monitoring support for Union policy implementation;***

## Amendment 186

### Proposal for a regulation

#### Article 53 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

The SST component shall support the following activities:

***The SST programme aims at progressively equipping the Union with an autonomous SST capability.***

The SST component shall support the following activities:

## Amendment 187

### Proposal for a regulation

#### Article 53 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) the establishment, development and operation of a network of ground-based and/or space-based sensors of the Member States, including sensors developed through the European Space Agency and

(a) the establishment, development and operation of a network of ground-based and/or space-based sensors of the Member States ***or of the Union***, including sensors developed through the European Space

nationally operated Union sensors, to survey and track objects and to produce a European catalogue of space objects adapted to the needs of the users referred to in Article 55;

Agency and nationally operated Union sensors, to survey and track objects and to produce a European catalogue of space objects adapted to the needs of the users referred to in Article 55;

## **Amendment 188**

### **Proposal for a regulation**

#### **Article 56 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Member States wishing to participate in the delivery of SST services referred to in Article 54 shall submit a joint proposal to the Commission demonstrating compliance with the following criteria:

Member States wishing to participate in the delivery of SST services referred to in Article 54 shall submit a **single or** joint proposal to the Commission demonstrating compliance with the following criteria:

## **Amendment 189**

### **Proposal for a regulation**

#### **Article 57 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

8. The Commission shall adopt, **by implementing acts**, detailed rules on the functioning of the organisational framework of the participation of Member States in SST. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

8. The Commission shall adopt **delegated acts in accordance with Article 105 concerning the specific provision**, detailed rules on the functioning of the organisational framework of the participation of Member States in SST. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

## **Amendment 190**

### **Proposal for a regulation**

#### **Article 58 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 58a**

**Monitoring of supply and demand for**

## ***SST***

***Before 31 December 2024, the Commission shall evaluate the implementation of the SST component, in particular as regards the evolution of the user needs in relation to the ground based and space based sensors capacity, and shall complete the production of the European catalogue provided for in Article 53(1a).***

***The evaluation shall, in particular, examine the need for additional space and ground infrastructures.***

***The evaluation shall be accompanied, if necessary, by an appropriate proposal for the development of additional space and ground infrastructures under the SST component.***

### **Amendment 191**

#### **Proposal for a regulation Article 60 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) the creation of a European catalogue of NEO.***

### **Amendment 192**

#### **Proposal for a regulation Article 61 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Under the GOVSATCOM component satellite communication capacities and services shall be combined into a common Union pool of satellite communication capacities and services. This component ***comprises***:

Under the GOVSATCOM component satellite communication capacities and services shall be combined into a common Union pool of satellite communication capacities and services ***with appropriate security requirements***. This component ***may comprise***:

## Amendment 193

### Proposal for a regulation Article 61 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the development, construction, and operations of the ground segment infrastructure;

*Amendment*

(a) the development, construction, and operations of the ground **and space** segment infrastructure;

## Amendment 194

### Proposal for a regulation Article 62 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall adopt, by means of implementing acts, the service portfolio for services provided under GOVSATCOM, in the form of a list of categories of satellite communication capacities and services and their attributes, including geographic coverage, frequency, bandwidth, user equipment, and security features. Those measures shall be based on the operational and security requirements referred to in paragraph 1 **and shall prioritise services provided to users at Union level**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

*Amendment*

3. The Commission shall adopt, by means of implementing acts, the service portfolio for services provided under GOVSATCOM, in the form of a list of categories of satellite communication capacities and services and their attributes, including geographic coverage, frequency, bandwidth, user equipment, and security features. Those measures shall be based on the operational and security requirements referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

## Amendment 195

### Proposal for a regulation Article 62 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. The service portfolio referred to in paragraph 3 shall take into consideration existing commercially available services in order not to distort competition in the internal market.**

## Amendment 196

### Proposal for a regulation Article 63 – paragraph 1 – point b

*Text proposed by the Commission*

(b) legal persons duly accredited to provide satellite capacities or services in accordance with the security accreditation procedure in Article 36, ***based on the specific security requirements for the GOVSATCOM component referred to in Article 34 (1).***

Amendment 197

*Amendment*

(b) legal persons duly accredited to provide satellite capacities or services in accordance with the security accreditation procedure in Article 36.

### Proposal for a regulation Article 63 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

Amendment 198

*Amendment*

***(ba) The providers of satellite communication capacities or services under this component shall comply with the specific security requirements for the GOVSATCOM component determined in accordance with Article 34(1).***

### Proposal for a regulation Article 65 – paragraph 1

*Text proposed by the Commission*

1. Pooled satellite communication capacities, services and user equipment shall be shared and prioritised between GOVSATCOM participants on the basis of an analysis of security risks by the users at Union and Member State level. ***This sharing and prioritisation shall prioritise users at Union level.***

Amendment 199

*Amendment*

1. Pooled satellite communication capacities, services and user equipment shall be shared and prioritised between GOVSATCOM participants on the basis of an analysis of security risks by the users at Union and Member State level.

### Proposal for a regulation Article 66 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a. GOVSATCOM Hubs shall take into consideration existing commercially available services existing in order not to distort competition in the internal market.**

## **Amendment 200**

### **Proposal for a regulation**

#### **Article 69 – paragraph 1**

*Text proposed by the Commission*

Before the end of 2024, the Commission shall evaluate the implementation of the GOVSATCOM component, notably as regards the evolution of the user needs in relation to the satellite communication capacity. The evaluation shall in particular examine the need for additional space infrastructure. The evaluation shall be accompanied, if necessary, by an appropriate proposal for the development of additional space infrastructure under the GOVSATCOM component.

*Amendment*

Before the end of 2024, the Commission shall, ***in cooperation with the responsible entities***, evaluate the implementation of the GOVSATCOM component, notably as regards the evolution of the user needs in relation to the satellite communication capacity. The evaluation shall in particular examine the need for additional space infrastructure. The evaluation shall be accompanied, if necessary, by an appropriate proposal for the development of additional space infrastructure under the GOVSATCOM component.

## **Amendment 201**

### **Proposal for a regulation**

#### **Article 71 – paragraph 1**

*Text proposed by the Commission*

The seat of the Agency shall be located in Prague (Czech Republic).

*Amendment*

The seat of the Agency shall be located in Prague (Czech Republic). ***In accordance with the needs of the Programme, the Agency's local offices may be established, as laid down in Article 79(2).***

## **Amendment 202**

### **Proposal for a regulation**

#### **Article 73 – paragraph 4**

*Text proposed by the Commission*

4. The members and alternate members of the Administrative Board shall be appointed in light of their knowledge in the field of the Agency's *core* tasks, taking into account relevant managerial, administrative and budgetary skills. The European Parliament, the Commission and the Member States shall endeavour to limit changes of their representatives on the Administrative Board, in order to ensure continuity of the Board's activities. All parties shall aim to achieve a balanced representation between men and women on the Administrative Board.

**Amendment 203**

**Proposal for a regulation  
Article 73 – paragraph 5**

*Text proposed by the Commission*

5. The term of office of the members of the Administrative Board and their *alternate* shall be four years, renewable *once*.

**Amendment 204**

**Proposal for a regulation  
Article 75 – paragraph 3**

*Text proposed by the Commission*

3. The Administrative Board shall hold an ordinary meeting twice a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least one third of its members.

**Amendment 205**

**Proposal for a regulation  
Article 75 – paragraph 5**

*Amendment*

4. The members and alternate members of the Administrative Board shall be appointed in light of their knowledge in the field of the Agency's tasks, taking into account relevant managerial, administrative and budgetary skills. The European Parliament, the Commission and the Member States shall endeavour to limit changes of their representatives on the Administrative Board, in order to ensure continuity of the Board's activities. All parties shall aim to achieve a balanced representation between men and women on the Administrative Board.

*Amendment*

5. The term of office of the members of the Administrative Board and their *alternates* shall be four years, renewable.

*Amendment*

3. The Administrative Board shall hold an ordinary meeting *at least* twice a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least one third of its members.

*Text proposed by the Commission*

5. [For any component of the Programme which entails the use of sensitive national infrastructure, **only** the representatives of Member States **which possess such infrastructure** and the representative of the Commission may attend the meetings and deliberations of the Administrative Board **and** take part in voting. Where the Chairperson of the Administrative Board does not represent one of the Member States which possess such infrastructure, he/she shall be replaced by the representatives of a Member States which possesses such infrastructure.]

*Amendment*

5. [For any component of the Programme which entails the use of sensitive national infrastructure, the representatives of Member States and the representative of the Commission may attend the meetings and deliberations of the Administrative Board, **but only those representatives of Member States which possess such infrastructure are to** take part in voting. Where the Chairperson of the Administrative Board, does not represent one of the Member States which possess such infrastructure, he/she shall be replaced by the representatives of a Member States which possesses such infrastructure.]

**Amendment 206**

**Proposal for a regulation**

**Article 77 – paragraph 2 – point a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) adopt, by 30 June of the first year of the multiannual financial framework provided for under Article 312 of the Treaty on the Functioning of the European Union, the multiannual work programme of the Agency for the period covered by that multiannual financial framework after incorporating, without any change, the section drafted by the Security Accreditation Board in accordance with point (a) of Article 80 and after having received the Commission’s opinion. The European Parliament shall be consulted on the multiannual work programme;***

**Amendment 207**

**Proposal for a regulation**

**Article 77 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) adopt transparency rules on industrial contracts and be regularly informed of them by the Executive Director;***

## **Amendment 208**

### **Proposal for a regulation Article 79 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) comply with the transparency rules on industrial contracts and inform the Administrative Board;***

## **Amendment 209**

### **Proposal for a regulation Article 79 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Executive Director shall decide whether it is necessary to locate one or more staff in one or more Member States for the purpose of carrying out the Agency's tasks in an efficient and effective manner. Before deciding to establish a local office the Executive Directive shall obtain the prior approval of ***the Commission***, the Administrative Board and the Member State(s) concerned. The decision shall specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the Agency. A headquarters agreement with the Member State(s) concerned may be required.

2. The Executive Director shall decide whether it is necessary to locate one or more staff in one or more Member States for the purpose of carrying out the Agency's tasks in an efficient and effective manner. Before deciding to establish a local office the Executive Directive shall obtain the prior approval of the Administrative Board and the Member State(s) concerned. The decision shall specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the Agency. A headquarters agreement with the Member State(s) concerned may be required. ***Where possible, the impact in terms of staff allocation and budget shall be incorporated in the annual work programme, and in any event this project shall be notified to the budgetary***

*authority in accordance with Article 84(11).*

## **Amendment 210**

### **Proposal for a regulation Article 88 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. The Agency's staff shall be remunerated from the Agency's own resources and, where necessary for the execution of the Agency's delegated tasks, through the use of budget delegated by the Commission.**

## **Amendment 211**

### **Proposal for a regulation Article 89 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The Executive Director shall be appointed by the Administrative Board on grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of candidates proposed by the Commission, after an open and transparent competition, following the publication of a call for expressions of interest in the Official Journal of the European Union or elsewhere.

The Executive Director shall be appointed by the Administrative Board on grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of **at least three** candidates proposed by the Commission, after an open and transparent competition, following the publication of a call for expressions of interest in the Official Journal of the European Union or elsewhere.

## **Amendment 212**

### **Proposal for a regulation Article 89 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

On the basis of a proposal from the Commission, taking into account the assessment referred to in the first

On the basis of a proposal from the Commission, taking into account the assessment referred to in the first

subparagraph, the Administrative Board may extend the term of office of the Executive Director once for a period of up to *four* years.

subparagraph, the Administrative Board may extend the term of office of the Executive Director once for a period of up to *five* years.

### Amendment 213

#### Proposal for a regulation Article 92 – title

*Text proposed by the Commission*

Headquarters agreement and operating conditions

*Amendment*

Headquarters *and Local Offices* agreement and operating conditions

### Amendment 214

#### Proposal for a regulation Article 92 – paragraph 1

*Text proposed by the Commission*

1. Necessary arrangements concerning the accommodation to be provided for the Agency in the host Member *State* and the facilities to be made available by that Member State together with the specific rules applicable in the host Member *State* to the Executive Director, members of the Administrative Board, Agency staff and members of their families shall be laid down in a Headquarters Agreement between the Agency and Member State where the seat is located, concluded after obtaining the approval of the Administrative Board.

*Amendment*

1. Necessary arrangements concerning the accommodation to be provided for the Agency in the host Member *States* and the facilities to be made available by that Member States together with the specific rules applicable in the host Member *States* to the Executive Director, members of the Administrative Board, Agency staff and members of their families shall be laid down in a Headquarters *and Local Offices* Agreement between the Agency and Member State where the seat *or the local infrastructure* is located, concluded after obtaining the approval of the Administrative Board.

### Amendment 215

#### Proposal for a regulation Article 98 – paragraph 1

*Text proposed by the Commission*

1. The Agency shall be open to the

*Amendment*

1. The Agency shall be open to the

participation of third countries that have entered into agreements with the Union to this effect.

participation of third countries **and international organisations** that have entered into agreements with the Union to this effect.

## Amendment 216

### Proposal for a regulation Article 101 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a. The Commission shall define a methodology to provide for qualitative indicators for an accurate assessment of the progress towards achieving the general objectives set out in points (a), (b) and (c) of Article 4(1). On the basis of that methodology the Commission shall complement the Annex, at the latest by January 1 2021.**

## Amendment 217

### Proposal for a regulation Article 102 – paragraph 2

*Text proposed by the Commission*

*Amendment*

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

2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the programme, but no later than **three** years after the start of the programme implementation. **A specific section of this evaluation shall be dedicated to the governance of the Programme aimed at providing information as to whether amendments to tasks and competences entrusted to the different actors of the Programme are needed.**

## Amendment 218

**Proposal for a regulation**  
**Article 102 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

*Amendment*

4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions ***and if appropriate may accompany the evaluation with a new legislative proposal.***

**Amendment 219**

**Proposal for a regulation**  
**Article 102 – paragraph 6 – subparagraph 1**

*Text proposed by the Commission*

By 30 June 2024, and every ***five*** years thereafter, the Commission shall assess the Agency's performance, in relation to its objectives, mandate, tasks and location, in accordance with Commission guidelines. The evaluation shall, ***in particular***, address the possible need to modify the mandate of the Agency, and the financial implications of any such modification. It shall also address the Agency's policy on conflicts of interest and the independence and autonomy of the Security Accreditation Board.

*Amendment*

By 30 June 2024, and every ***three*** years thereafter, the Commission shall assess the Agency's performance, in relation to its objectives, mandate, tasks and location, in accordance with Commission guidelines. The evaluation shall address the possible need to modify the mandate of the Agency, ***in particular regarding the possibility to entrust it with additional tasks, in accordance with Article 30***, and the financial implications of any such modification. It shall also address the Agency's policy on conflicts of interest and the independence and autonomy of the Security Accreditation Board.

**Amendment 220**

**Proposal for a regulation**  
**Article 105 – paragraph 2**

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Articles 52 and 101 shall be conferred on the Commission ***for an***

*Amendment*

2. The power to adopt delegated acts referred to in Articles 52 and 101 shall be conferred on the Commission until 31

*indeterminate period* until 31 December 2028.

December 2028.

## Amendment 221

### Proposal for a regulation Article 107 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

*Amendment*

1. The Commission shall be assisted by a committee, ***which meets in specific configurations/ subcommittees dedicated to each main components of the Programme (Galileo and EGNOS, Copernicus, SSA, GOVSATCOM)***. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

## Amendment 222

### Proposal for a regulation Article 107 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. International agreements concluded by the Union may provide for the involvement, as appropriate, of representatives of third countries or international organisations in the work of the Committee under the conditions laid down in its rules of procedures, taking into account the security of the Union.***