



**2020/0361(COD)**

8.7.2021

# **AMENDMENTS 1302 - 1591**

**Draft report**  
**Christel Schaldemose**  
(PE693.594v01-00)

Single Market For Digital Services (Digital Services Act) and amending  
Directive 2000/31/EC

Proposal for a regulation  
(COM(2020)0825 – C9-0000/2021 – 2020/0361(COD))



**Amendment 1302**  
**Evžen Tošenovský**

**Proposal for a regulation**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. Where an online platform has information indicating that a trusted flagger submitted a significant number of insufficiently precise or inadequately substantiated notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.**

**deleted**

Or. en

**Amendment 1303**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. Where an online platform has information indicating that a trusted flagger submitted a significant number of insufficiently precise or inadequately substantiated notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the

5. Where an online platform has information indicating that a trusted flagger submitted a significant number of insufficiently precise or inadequately substantiated notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the

Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.

Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.

***During this period of investigation by the Digital Services Coordinator, the trusted flagger shall be treated as a non-trusted flagger when using the mechanisms referred to in Article 14, where not suspended under Article 20.***

Or. en

#### *Justification*

*If there is an ongoing investigation then any priority treatment should be suspended.*

#### **Amendment 1304**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

#### **Proposal for a regulation** **Article 19 – paragraph 5**

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

5. Where an online platform has information indicating that a trusted flagger submitted a **significant** number of insufficiently precise or inadequately substantiated notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.

##### *Amendment*

5. Where an online platform has information indicating that a trusted flagger submitted a **not insignificant** number of insufficiently precise, **inaccurate** or inadequately substantiated notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.

Or. en

## Amendment 1305

Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

### Proposal for a regulation

#### Article 19 – paragraph 5

*Text proposed by the Commission*

5. Where an online platform has information indicating that a trusted flagger submitted a significant number of ***insufficiently precise or inadequately substantiated*** notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.

*Amendment*

5. Where an online platform has information indicating that a trusted flagger submitted a significant number of ***wrongful*** notices through the mechanisms referred to in Article 14, including information gathered in connection to the processing of complaints through the internal complaint-handling systems referred to in Article 17(3), it shall communicate that information to the Digital Services Coordinator that awarded the status of trusted flagger to the entity concerned, providing the necessary explanations and supporting documents.

Or. en

## Amendment 1306

Clara Ponsatí Obiols

### Proposal for a regulation

#### Article 19 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

***5a. Where recipients of the service, consumer organizations, or other civil society organizations or any third party with a legitimate interest consider that there are reasonable grounds to consider that a trusted flagger submitted a significant number of insufficiently precise or inadequately substantiated notices through the mechanisms referred to in Article 14, it shall have the right to communicate that information to the Digital Services Coordinator that awarded***

*the status of trusted flagger.*

Or. en

**Amendment 1307**

**Evžen Tošenovský**

**Proposal for a regulation**

**Article 19 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis of information received by third parties, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger** *deleted*

Or. en

**Amendment 1308**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Andrea Caroppo, Barbara Thaler**

**Proposal for a regulation**

**Article 19 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis**

**6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis**

information received by third parties, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger

information received by third parties, ***carried out without undue delay***, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger

Or. en

### **Amendment 1309**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

#### **Proposal for a regulation Article 19 – paragraph 6**

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

6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis information received **by** third parties, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger

##### *Amendment*

6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis information received **from** third parties, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger

Or. en

##### *Justification*

*technical amendment*

### **Amendment 1310**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

#### **Proposal for a regulation** **Article 19 – paragraph 6**

*Text proposed by the Commission*

6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis of information received **by** third parties, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger

*Amendment*

6. The Digital Services Coordinator that awarded the status of trusted flagger to an entity shall revoke that status if it determines, following an investigation either on its own initiative or on the basis of information received **from** third parties, including the information provided by an online platform pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator shall afford the entity an opportunity to react to the findings of its investigation and its intention to revoke the entity's status as trusted flagger

Or. en

### **Amendment 1311**

**Evžen Tošenovský**

#### **Proposal for a regulation** **Article 19 – paragraph 7**

*Text proposed by the Commission*

***7. The Commission, after consulting the Board, may issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.***

*Amendment*

***deleted***

Or. en

### **Amendment 1312**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten**



**Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher, Bart Groothuis**

**Proposal for a regulation  
Article 19 – paragraph 7**

*Text proposed by the Commission*

7. The Commission, after consulting the Board, may issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

*Amendment*

7. The Commission, after consulting the Board, **shall issue guidance as to how to apply and demonstrate the conditions of paragraph 2 and** may issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

Or. en

*Justification*

*Until an industry standard is agreed, guidance should be issued to ensure that each DSC is applying the same basic rules as to trusted flaggers. As trusted flaggers can act across borders, this is important to prevent forum shopping.*

**Amendment 1313**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng**

**Proposal for a regulation  
Article 19 – paragraph 7**

*Text proposed by the Commission*

7. The Commission, after consulting the Board, **may** issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

*Amendment*

7. The Commission, after consulting the Board, **shall** issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs **2, 4a, 5** and 6.

Or. en

**Amendment 1314**

**Barbara Thaler, Arba Kokalari**

**Proposal for a regulation**  
**Article 19 – paragraph 7**

*Text proposed by the Commission*

7. The Commission, after consulting the Board, **may** issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

*Amendment*

7. The Commission, after consulting the Board, **shall** issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

Or. en

**Amendment 1315**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 19 – paragraph 7**

*Text proposed by the Commission*

7. The **Commission, after consulting the Board**, may issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

*Amendment*

7. The **Agency** may issue guidance to assist online platforms and Digital Services Coordinators in the application of paragraphs 5 and 6.

Or. en

**Amendment 1316**  
**Ivan Štefanec**

**Proposal for a regulation**  
**Article 19 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. Notices submitted by local, regional and national authorities shall be processed and decided upon with an equivalent degree of priority and delay as the notices provided by entities, which have been awarded a trusted flagger status.**

*Justification*

*Justification: While the introduction of the trusted flaggers scheme is welcome, notices provided by public authorities should be treated at the very least the same way as those provided by designated trusted flaggers. The contrary would potentially award private entities with superior law oversight powers as public authorities.*

**Amendment 1317**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation****Article 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 19a******Accessibility requirements for online platforms***

- 1. Providers of online platforms which offer services in the Union shall ensure that they design and provide services in accordance with the accessibility requirements set out in Section III, Section IV, Section VI, and Section VII of Annex I of Directive (EU) 2019/882.***
- 2. Providers of online platforms shall prepare the necessary information in accordance with Annex V of Directive (EU) 2019/882 and shall explain how the services meet the applicable accessibility requirements. The information shall be made available to the public in written and oral format, including in a manner which is accessible to persons with disabilities. Providers of online platforms shall keep that information for as long as the service is in operation.***
- 3. Providers of online platforms shall ensure that information, forms and measures provided pursuant to this Regulation are made available in a***

*manner that they are easy to find and accessible to persons with disabilities.*

*4. Providers of online platforms which offer services in the Union shall ensure that procedures are in place so that the provision of services remains in conformity with the applicable accessibility requirements. Changes in the characteristics of the provision of the service, changes in applicable accessibility requirements and changes in the harmonised standards or in technical specifications by reference to which a service is declared to meet the accessibility requirements shall be adequately taken into account by the provider of intermediary services.*

*5. In the case of non-conformity, providers of online platforms shall take the corrective measures necessary to bring the service into conformity with the applicable accessibility requirements.*

*6. Provider of online platforms shall, further to a reasoned request from a competent authority, provide it with all information necessary to demonstrate the conformity of the service with the applicable accessibility requirements. They shall cooperate with that authority, at the request of that authority, on any action taken to bring the service into compliance with those requirements.*

*7. Online platforms which are in conformity with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the accessibility requirements of this Regulation in so far as those standards or parts thereof cover those requirements.*

*8. Online platforms which are in conformity with the technical specifications or parts thereof adopted for the Directive (EU) 2019/882 shall be presumed to be in conformity with the accessibility requirements of this*

***Regulation in so far as those technical specifications or parts thereof cover those requirements.***

Or. en

*Justification*

*Requirement for online platforms to take accessibility into account in the design of their services. Such a requirement would be proportionate to online platforms due to their role and influence, while a requirement on all hosting providers would likely be disproportionate.*

**Amendment 1318**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content.

*Amendment*

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content. ***Any prior warning shall provide the recipient of the service with a reasonable amount of time to provide a justification to the online platform to consider that the information to which the suspension relates is not manifestly illegal. Such justifications shall be subject to human review.***

Or. en

*Justification*

*The US DMCA includes a repeat infringer policy which has led to the blocking of user accounts which have not infringed copyright, to the blocking of accounts without prior warning and to discouraging users from asserting their rights due to insufficient safeguards. To avoid these effects, the repeat infringer policy in the DSA must be more carefully designed. The mandatory prior warning, the time limitation of the suspension and the limiting to “manifestly illegal content” are all important safeguards that should be maintained, but that is not enough. First of all, it is important that a user is given the option to respond and that a human on the platform side has to review the justification before a warning is issued. Also,*

*providing justification must not be discouraged by threatening with a warning if a recipient insists on its rights.*

#### **Amendment 1319**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

#### **Proposal for a regulation Article 20 – paragraph 1**

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

1. Online platforms shall suspend, for a *reasonable* period of time *and after having issued a prior warning*, the provision of their services to recipients of the service that frequently provide manifestly illegal content.

##### *Amendment*

1. Online platforms shall suspend, for a *specified* period of time, the provision of their services to recipients of the service that frequently provide manifestly illegal content *that has been duly declared illegal as defined in Article 2(g). The online platform may request support from the Digital Service Coordinator to establish the frequency for which account suspension is deemed necessary and to set the duration of the suspension.*

Or. en

#### **Amendment 1320**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

#### **Proposal for a regulation Article 20 – paragraph 1**

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

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content.

##### *Amendment*

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content, *or content that is in breach with their terms and conditions.*

**Amendment 1321**

**Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde**

**Proposal for a regulation**

**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content.

*Amendment*

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content ***or that is incompatible with their terms and conditions.***

Or. en

*Justification*

*This amendment is proposed in order to remain consistent with Articles 14-19.*

**Amendment 1322**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content.

*Amendment*

1. Online platforms shall suspend, for a reasonable period of time and ***where proportionate*** after having issued a prior warning, the provision of their services to recipients of the service that frequently provide manifestly illegal content.

Or. en

*Justification*

*It is not proportionate to require a statement after each removal of, for example, a spam message.*

**Amendment 1323**

**Geoffroy Didier, Sabine Verheyen, Brice Hortefeux, Nathalie Colin-Oesterlé**

**Proposal for a regulation**

**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. Online platforms shall suspend, for a reasonable period of time **and after having issued a prior warning**, the provision of their services to recipients of the service that **frequently** provide manifestly illegal content.

*Amendment*

1. Online platforms shall, **after having issued a prior warning**, suspend, for a reasonable period of time, **or terminate** the provision of their services to recipients of the service that **repeatedly** provide manifestly illegal content.

Or. en

*Justification*

*Repeated offenders should be sanctioned more forcefully, so as to ensure an effective and dissuasive effect of the fight against illegal content. The same should apply to amateur complainants, It is also important to discourage unfounded complainants, that would be prejudicial to the aim of the Regulation.*

**Amendment 1324**

**Maria Grapini**

**Proposal for a regulation**

**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. Online platforms **shall** suspend, for a reasonable period of time **and after having issued a prior warning**, the provision of their services to recipients of the service that **frequently** provide **manifestly** illegal content.

*Amendment*

1. **After having issued a prior warning**, online platforms **may** suspend, for a reasonable period of time **or terminate** the provision of their services to recipients of the service that **repeatedly** provide illegal content.

Or. en



**Amendment 1325**  
**Marion Walsmann**

**Proposal for a regulation**  
**Article 20 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Online marketplaces shall publish the information on traders suspended pursuant to paragraph 1 gathered in accordance with Article 22 (1) (a) in the database as referred to in Article 15 para. 4. When the suspension expires, the data shall be deleted from that database.***

Or. en

**Amendment 1326**  
**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**  
**Article 20 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Online platforms shall not activate the notice and action mechanism described in Article 14 if the intended recipients are elected officials or candidates for election during electoral campaigns.***

Or. fr

**Amendment 1327**  
**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded.

*Amendment*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants, **including trusted flaggers**, that frequently submit notices or complaints that are manifestly unfounded.

***If individuals, entities or complainants, including trusted flaggers, continue to submit notices or complaints which are manifestly unfounded or prove to be unfounded following the imposition of a measure suspending the processing of notices and complaints, online platforms shall suspend the provision of their services to those recipients for a reasonable period of time, after having issued a prior warning.***

Or. fr

**Amendment 1328**

**Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms **and** internal complaints-handling systems referred to in Articles 14 **and 17**, respectively, by individuals or

*Amendment*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms, internal complaints-handling systems **and out-of-court dispute settlement bodies** referred to in Articles 14,

entities or by complainants that *frequently* submit notices or complaints that are manifestly unfounded.

*17 and 18*, respectively, by individuals or entities or by complainants that *repeatedly* submit notices or complaints *or initiate dispute settlements* that are manifestly unfounded.

Or. en

**Amendment 1329**  
**Martin Schirdewan, Anne-Sophie Pelletier**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded.

*Amendment*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded. ***This paragraph does not apply to trusted flaggers according to Article 19.***

Or. en

**Amendment 1330**  
**Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. ***Online platforms shall*** suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action

*Amendment*

2. ***Providers of hosting services may*** suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action

mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded.

mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded.

Or. en

#### **Amendment 1331**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit**

on behalf of the ID Group

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

#### **Article 20 – paragraph 2**

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

2. Online platforms shall suspend, for a *reasonable* period of time and after having issued *a* prior *warning*, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are *manifestly* unfounded.

##### *Amendment*

2. Online platforms shall suspend, for a *specified* period of time and after having issued *at least three* prior *warnings*, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are unfounded.

Or. en

#### **Amendment 1332**

**Geoffroy Didier, Sabine Verheyen, Brice Hortefeux, Nathalie Colin-Oesterlé**

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

#### **Article 20 – paragraph 2**

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

2. Online platforms shall suspend, for a reasonable period of time *and after having issued a prior warning*, the processing of notices and complaints

##### *Amendment*

2. Online platforms shall, *after having issued a prior warning*, suspend, for a reasonable period of time, *or terminate* the processing of notices and complaints

submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded.

submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that frequently submit notices or complaints that are manifestly unfounded.

Or. en

**Amendment 1333**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that *frequently* submit notices or complaints that are manifestly unfounded.

*Amendment*

2. Online platforms shall suspend, for a reasonable period of time and after having issued a prior warning, the processing of notices and complaints submitted through the notice and action mechanisms and internal complaints-handling systems referred to in Articles 14 and 17, respectively, by individuals or entities or by complainants that *repeatedly* submit notices or complaints that are manifestly unfounded.

Or. en

**Amendment 1334**  
**Arba Kokalari, Pablo Arias Echeverría, Anna-Michelle Asimakopoulou, Ivan Štefanec, Barbara Thaler**

**Proposal for a regulation**  
**Article 20 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) the absolute numbers of items of manifestly illegal content or manifestly unfounded notices or complaints,

*Amendment*

(a) the absolute numbers of items of manifestly illegal content or manifestly unfounded notices or complaints,

submitted in *the past year*;

submitted in *a given time frame*;

Or. en

#### **Amendment 1335**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

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

##### **Article 20 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) the absolute numbers of items of *manifestly* illegal content or *manifestly* unfounded notices or complaints, submitted in the past year;

*Amendment*

(a) the absolute numbers of items of illegal content or unfounded notices or complaints, submitted in the past year;

Or. en

#### **Amendment 1336**

**Arba Kokalari, Pablo Arias Echeverría, Anna-Michelle Asimakopoulou, Ivan Štefanec, Barbara Thaler**

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

##### **Article 20 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) the relative proportion thereof in relation to the total number of items of information provided or notices submitted in *the past year*;

*Amendment*

(b) the relative proportion thereof in relation to the total number of items of information provided or notices submitted in *a given time frame*;

Or. en

#### **Amendment 1337**

**Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

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

##### **Article 20 – paragraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the gravity of the misuses and its consequences;

(c) the gravity of the misuses and its consequences, ***in particular on the exercise of fundamental rights, regardless of the absolute numbers or relative proportion;***

Or. en

#### **Amendment 1338**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

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

#### **Article 20 – paragraph 3 – point d**

*Text proposed by the Commission*

*Amendment*

(d) the intention of the recipient, individual, entity or complainant.

(d) the intention of the recipient, individual, entity or complainant, ***including whether submissions were made in bad faith;***

Or. en

#### *Justification*

*clarification of additional circumstances that should be taken into account*

#### **Amendment 1339**

**Arba Kokalari, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

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

#### **Article 20 – paragraph 3 – point d**

*Text proposed by the Commission*

*Amendment*

(d) the intention of the recipient, individual, entity or complainant.

(d) ***where identifiable***, the intention of the recipient, individual, entity or complainant.

**Amendment 1340**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 20 – paragraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) whether a notice was submitted by an individual user or by an entity or persons with specific expertise related to the content in question;***

Or. en

*Justification*

*clarification of additional circumstances that should be taken into account*

**Amendment 1341**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

**Proposal for a regulation**

**Article 20 – paragraph 3 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The assessment must be carried out by qualified staff provided with dedicated training on the applicable legal framework.***

Or. en

**Amendment 1342**

**Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group



**Proposal for a regulation**  
**Article 20 – paragraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) the fact that notices and complaints were submitted following the use of an automated content recognition system;**

Or. en

**Amendment 1343**

**Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 20 – paragraph 3 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

**(db) any justification provided by the recipient of the service to provide sufficient grounds to consider that the information is not manifestly illegal.**

Or. en

**Amendment 1344**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**  
**Article 20 – paragraph 3 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

**(db) the manner of how notices have been submitted, including by automated means.**

Or. en

*Justification*

*clarification of additional circumstances that should be taken into account*

**Amendment 1345**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 20 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. Suspensions referred to in paragraphs 1 and 2 may be declared permanent where**

**(a) compelling reasons of law or public policy, including ongoing criminal investigations, justify avoiding or postponing notice to the recipient;**

**(b) the items removed were components of high-volume campaigns to deceive users or manipulate platform content moderation efforts; or**

**(c) the items removed were related to content covered by [Directive 2011/93/EU updated reference] or [Directive (EU) 2017/541 or Regulation (EU) 2021/784 of the European Parliament and of the Council.**

Or. en

*Justification*

*Spammers and postings of serious criminal material should not only be suspended for a limited period of time*

**Amendment 1346**

**Geert Bourgeois**

**Proposal for a regulation**

**Article 20 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a.** *Very large social online platforms shall take particular account of the obligation to provide a universal service in principle.*

Or. nl

#### **Amendment 1347**

**Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

#### **Proposal for a regulation** **Article 20 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Online platforms shall set out, in a clear and detailed manner, their policy in respect of the misuse referred to in paragraphs 1 and 2 in their terms and conditions, including as regards the facts and circumstances that they take into account when assessing whether certain behaviour constitutes misuse and the duration of the suspension.

4. Online platforms shall set out, in a clear and detailed manner *with due regard to their obligations under Article 12(2) in particular as regards the applicable fundamental rights of the recipients of the service as enshrined in the Charter*, their policy in respect of the misuse referred to in paragraphs 1 and 2 in their terms and conditions, including as regards the facts and circumstances that they take into account when assessing whether certain behaviour constitutes misuse and the duration of the suspension.

Or. en

#### **Amendment 1348**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Morten Løkkegaard, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

#### **Proposal for a regulation** **Article 20 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Online platforms shall set out, in a

4. Online platforms shall set out, in a

clear and detailed manner, their policy in respect of the misuse referred to in paragraphs 1 and 2 in their terms and conditions, including as *regards* the facts and circumstances that they take into account when assessing whether certain behaviour constitutes misuse and the duration of the suspension.

clear and detailed manner, their policy in respect of the misuse referred to in paragraphs 1 and 2 in their terms and conditions, including *examples* as the facts and circumstances that they take into account when assessing whether certain behaviour constitutes misuse and the duration of the suspension.

Or. en

*Justification*

*It is impossible to include all potential situations into a provider's terms and conditions.*

**Amendment 1349**

**Arba Kokalari, Andrey Kovatchev, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

**Proposal for a regulation**

**Article 20 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. Providers of hosting services could, as a voluntary measure in line with provisions Article 6, conduct own-investigation measures to prevent suspended accounts from reappearing before the suspension is lifted. The obligations related to paragraph 1 to 4 shall by no means impose general monitoring obligations on hosting services.**

Or. en

*Justification*

*To clarify that measures to protect against misuse should by no means impose general monitoring obligations or obligations to introduce a stay-down mechanism.*

**Amendment 1350**

**Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-**

**Marques, Clara Aguilera, Adriana Maldonado López, Sylvie Guillaume, Biljana Borzan, Paul Tang, Brando Benifei, Monika Beňová, Marc Angel**

**Proposal for a regulation  
Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 20a**

**Content of public interest**

**1. When an online platform takes the decision to remove content or to suspend the provision of its services to a recipient of the service, it shall take into account whether the content is or appears to be specifically intended to contribute to public policy objectives, in particular where the content is of particular importance to public policy, public security or public health objectives at Union or national level.**

**2. If an online platform decides to remove content or suspend the provision of its services to a user which is or appears to be of public interest, related to public policy, public security or public health the online platform shall take the necessary technical and organisational measures to ensure that complaints through the internal complaint-handling system referred to in Article 17, are processed and decided upon with priority and without delay.**

Or. en

*Justification*

*Replacing amendment 110 in the draft report. Inspired by the UK Online Safety Bill*

**Amendment 1351**

**Sandro Gozi, Stéphanie Yon-Courtin, Fabienne Keller, Valérie Hayer, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation  
Article 21**

**Article 21**

**deleted**

***Notification of suspicions of criminal offences***

***1. Where an online platform becomes aware of any information giving rise to a suspicion that a serious criminal offence involving a threat to the life or safety of persons has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available.***

***2. Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform the law enforcement authorities of the Member State in which it is established or has its legal representative or inform Europol.***

***For the purpose of this Article, the Member State concerned shall be the Member State where the offence is suspected to have taken place, be taking place and likely to take place, or the Member State where the suspected offender resides or is located, or the Member State where the victim of the suspected offence resides or is located.***

Or. en

*Justification*

*The text of Article 21 is reintroduced with few modifications as Article 15b*

**Amendment 1352**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Ivan Štefanec**

**Proposal for a regulation**  
**Article 21**

*Text proposed by the Commission*

*Amendment*

**Article 21**

**deleted**

**Notification of suspicions of criminal offences**

**1. Where an online platform becomes aware of any information giving rise to a suspicion that a serious criminal offence involving a threat to the life or safety of persons has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available.**

**2. Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform the law enforcement authorities of the Member State in which it is established or has its legal representative or inform Europol.**

**For the purpose of this Article, the Member State concerned shall be the Member State where the offence is suspected to have taken place, be taking place and likely to take place, or the Member State where the suspected offender resides or is located, or the Member State where the victim of the suspected offence resides or is located.**

Or. en

*Justification*

*Moved to article 15a.*

**Amendment 1353**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Ivan Štefanec, Barbara Thaler**

**Proposal for a regulation**  
**Article 21 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**1. Where an online platform becomes aware of any information giving rise to a suspicion that a serious criminal offence involving a threat to the life or safety of persons has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available.**

**deleted**

Or. en

**Amendment 1354**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 21 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Where an online platform becomes aware of any information giving rise to a suspicion that a **serious** criminal offence involving a threat to the life **or** safety of persons has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available.

1. Where an online platform becomes aware of any information giving rise to a suspicion that a criminal offence involving a threat to the life, safety of persons **or public safety and order**, has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available. **Member States may further define the categories of offences outlined by paragraph 1.**

Or. en

*Justification*

*The notification requirement for "serious criminal offence involving a threat to the life and*



*safety of persons" is insufficient. What is required is a notification requirement that includes hate crime offences such as incitement to hatred (e.g. denial of the Holocaust). What is prohibited offline should also be prosecuted online. Since criminal law differs in the EU Member States, it is necessary for the Member States to maintain the existing level of protection in national law.*

#### **Amendment 1355**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Liesje Schreinemacher**

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

#### **Article 21 – paragraph 1**

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

1. Where an online platform becomes aware of **any** information giving rise to a suspicion that a serious criminal offence involving **a** threat to the life or safety of persons has taken place, is taking place or **is likely** to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide **all** relevant information **available**.

##### *Amendment*

1. Where an online platform becomes aware of **exact** information giving rise to a suspicion that a serious criminal offence involving **an imminent** threat to the life or safety of persons has taken place, is taking place or **planned** to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide, **upon their request, any additional** relevant information.

Or. en

##### *Justification*

*Such measures should only be required to an imminent threat. Due to the serious nature of such a notice and the potential for misunderstanding of content and context, it is vital that providers are not issuing notices that might negatively affect the rights of users, including the presumption of innocence. Only where there is an overriding factor, such as an imminent threat to life, should this be required.*

#### **Amendment 1356**

**Marion Walsmann**

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

#### **Article 21 – paragraph 1**

*Text proposed by the Commission*

1. Where an online platform becomes aware of any information giving rise to a suspicion that a ***serious*** criminal offence ***involving a threat to the life or safety of persons*** has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available.

*Amendment*

1. Where an online platform becomes aware of any information giving rise to a suspicion that a criminal offence has taken place, is taking place or is likely to take place, it shall promptly inform the law enforcement or judicial authorities of the Member State or Member States concerned of its suspicion and provide all relevant information available.

Or. en

*Justification*

*Not only serious criminal offence, but also online fraud like unsafe products and counterfeit should be reported.*

**Amendment 1357**

**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**

**Article 21 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Where an online trading platform has information which might suggest that a criminal offence of the nature of counterfeiting or fraud has taken place, is taking place or is likely to take place, it shall inform the law enforcement and judiciary services of the Member State concerned of its suspicion without delay and shall provide all the relevant information which is available. It shall also be able to expedite internal enquiries and, depending on their outcome, to withdraw the notice(s) in question. It shall transmit the details and the outcome of such an enquiry to the above-mentioned services of the Member State concerned.***

Or. fr

## Amendment 1358

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Ivan Štefanec

### Proposal for a regulation

#### Article 21 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. *Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform the law enforcement authorities of the Member State in which it is established or has its legal representative or inform Europol.*

*deleted*

*For the purpose of this Article, the Member State concerned shall be the Member State where the offence is suspected to have taken place, be taking place and likely to take place, or the Member State where the suspected offender resides or is located, or the Member State where the victim of the suspected offence resides or is located.*

Or. en

## Amendment 1359

Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron  
on behalf of the ID Group

### Proposal for a regulation

#### Article 21 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform the law enforcement authorities of the Member State in which it is established or has its legal representative or inform Europol.

Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform ***without undue delay*** the law enforcement authorities of the Member State in which it is established or has its legal representative or inform

Europol.

Or. en

**Amendment 1360**

**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform the law enforcement authorities of the Member State in which it is established or has its legal representative *or* inform Europol.

*Amendment*

Where the online platform cannot identify with reasonable certainty the Member State concerned, it shall inform the law enforcement authorities of the Member State in which it is established or has its legal representative *and may also* inform Europol.

Or. fr

**Amendment 1361**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Ivan Štefanec**

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*For the purpose of this Article, the Member State concerned shall be the Member State where the offence is suspected to have taken place, be taking place and likely to take place, or the Member State where the suspected offender resides or is located, or the Member State where the victim of the suspected offence resides or is located.*

*Amendment*

*deleted*

Or. en

**Amendment 1362**

**Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-Marques, Clara Aguilera, Adriana Maldonado López, Sylvie Guillaume, Biljana Borzan, Evelyne Gebhardt, Brando Benifei, Monika Beňová, Marc Angel**

**Proposal for a regulation**

**Article 21 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. When a platform that allows consumers to conclude distance contracts with traders becomes aware that a piece of information, a product or service poses a serious risk to the life, health or safety of consumers, it shall promptly inform the competent authorities of the Member State or Member States concerned and provide all relevant information available.**

Or. en

*Justification*

*Platforms should be obliged to inform law enforcement or judicial authorities when the life or safety of individuals is threatened under criminal law, but also when online marketplaces become aware of other illegal activities such as fraudulent and scam ads, the sale of illegal products online.*

**Amendment 1363**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 21 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Unless instructed otherwise by the informed authority, the provider shall remove or disable the content. It shall store all content and related data for at least six months.**

Or. en

*Justification*

*While police may request that content stays up, in most cases, it is better to remove it for the safety of those concerned*

**Amendment 1364**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 21 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b. Information obtained by a law enforcement or judicial authority of a Member State in accordance with paragraph 1 shall not be used for any purpose other than those directly related to the individual serious criminal offence notified.**

Or. en

*Justification*

*This provision must respect the rights of users and should not be used in unconnected ways.*

**Amendment 1365**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 21 – paragraph 2 c (new)**

*Text proposed by the Commission*

*Amendment*

**2c. The Commission shall adopt an implementing act setting down a template for notifications under paragraph 1.**

Or. en

*Justification*

*This article can only be implemented quickly if there is a standardised way to submit such notifications*

**Amendment 1366**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 21 – paragraph 2 d (new)**

*Text proposed by the Commission*

*Amendment*

**2d. Where a notification of suspicions of criminal offences includes information which may be seen as potential electronic information in criminal proceedings, Regulation XXX [E-evidence] shall apply.**

Or. en

*Justification*

*This article should be aligned to the E-evidence Regulation*

**Amendment 1367**

**Geoffroy Didier, Sabine Verheyen, Brice Hortefeux**

**Proposal for a regulation**

**Article 22**

*Text proposed by the Commission*

*Amendment*

**[...]**

**deleted**

Or. en

**Amendment 1368**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**  
**Article 22 – title**

*Text proposed by the Commission*

*Amendment*

Traceability of traders

Traceability of traders ***on online Marketplaces***

Or. en

*Justification*

*Updated title in light of definition of a marketplace*

**Amendment 1369**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**  
**Article 22 – title**

*Text proposed by the Commission*

*Amendment*

Traceability of traders

Traceability of traders ***on online marketplaces***

Or. en

**Amendment 1370**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 22 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:

1. Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained, ***and has made best efforts to***



*verify the completeness and reliability of,*  
the following information:

Or. en

## **Amendment 1371**

**Jiří Pospíšil**

### **Proposal for a regulation**

#### **Article 22 – paragraph 1 – introductory part**

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

1. Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:

##### *Amendment*

1. Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained ***and verified the validity of*** the following information:

Or. en

## **Amendment 1372**

**Marion Walsmann**

### **Proposal for a regulation**

#### **Article 22 – paragraph 1 – introductory part**

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

1. ***Where an online platform allows consumers to conclude distance contracts with traders, it*** shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online ***platform*** has obtained the following information:

##### *Amendment*

1. ***The online marketplace*** shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online ***marketplace*** has obtained ***and checked*** the following information:

Or. en

### Amendment 1373

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior

#### Proposal for a regulation

##### Article 22 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. **Where an online platform allows consumers to conclude distance contracts with traders, it** shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of **its** services, the online **platform has** obtained the following information:

*Amendment*

1. **Providers of online marketplaces** shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of **their** services, the online **marketplaces have** obtained the following information:

Or. en

### Amendment 1374

Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron  
on behalf of the ID Group

#### Proposal for a regulation

##### Article 22 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, **prior to the use of its services**, the online platform has obtained the following information:

*Amendment*

1. Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if the online platform has obtained the following information:

Or. en

### Amendment 1375

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Svenja Hahn, Karen Melchior, Liesje Schreinemacher

**Proposal for a regulation**  
**Article 22 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. **Where an online platform allows consumers to conclude distance contracts with traders, it** shall ensure that traders can only use **its** services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of **its** services, the online **platform** has obtained the following information:

*Amendment*

1. **Providers of online marketplaces** shall ensure that traders can only use **their** services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of **their** services **for those purposes**, the online **marketplace** has obtained the following information **from traders, where applicable**:

Or. en

**Amendment 1376**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Where **an online platform** allows consumers to conclude distance contracts with traders, **it** shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:

*Amendment*

1. Where allows consumers to conclude distance contracts with traders, **an online platform** shall ensure that traders can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:

Or. en

**Amendment 1377**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) the name, address, telephone number and electronic mail address of the trader;**

**deleted**

Or. en

**Amendment 1378**  
**Alex Agius Saliba**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the name, address, telephone number and electronic mail address of the trader;

(a) the name, address, telephone number and electronic mail address of the trader ***and as required under Union or Member State law, of the authorised representative of the trader.***

Or. en

**Amendment 1379**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(a) the first and last name of the trader that is an individual and legal name of the trader that is an entity;**  
**(b) the primary address of the trader;**  
**(c) the telephone number and electronic mail address of the trader;**

Or. en

**Amendment 1380**  
**Kosma Zlotowski**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) a copy of the identification document of the trader or any other electronic identification as defined by Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the Council<sup>50</sup> ;** **deleted**

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<sup>50</sup> *Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC*

Or. en

**Amendment 1381**

**Arba Kokalari, Pablo Arias Echeverría, Anna-Michelle Asimakopoulou, Tomislav Sokol, Axel Voss, Ivan Štefanec, Barbara Thaler**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) the bank account details of the trader, where the trader is a natural person;** **deleted**

Or. en

**Amendment 1382**  
**Kosma Zlotowski**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) *the bank account details of the trader, where the trader is a natural person;*

*Amendment*

(c) *as defined by Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation, the Financial Account Identifier to which the Consideration is paid or credited, insofar as it is available to the online platform;*

Or. en

**Amendment 1383**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) *the bank account details of the trader, where the trader is a natural person;*

*Amendment*

(c) *as defined by Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation, the Financial Account Identifier to which the Consideration is paid or credited, insofar as it is available to the online platform;*

Or. en

**Amendment 1384**  
**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the bank account details of the trader, *where the trader is a natural*

*Amendment*

(c) the bank account details of the trader;

*person;*

Or. en

#### **Amendment 1385**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

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

#### **Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the **bank** account details of the trader, **where the trader is a natural person;**

(c) the **payment** account details of the trader;

Or. en

*Justification*

*not all payment account are connected to bank accounts.*

#### **Amendment 1386**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Karen Melchior, Laurence Farreng, Marco Zullo, Stéphane Séjourné**

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

#### **Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the **bank** account details of the trader, **where the trader is a natural person;**

(c) the **payment** account details of the trader;

Or. en

#### **Amendment 1387**

**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) *the name, address, telephone number and electronic mail address of the economic operator, within the meaning of Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the Council<sup>51</sup> or any relevant act of Union law;*

*deleted*

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<sup>51</sup> *Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).*

Or. en

**Amendment 1388**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng, Marco Zullo**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) the name, address, telephone number and electronic mail address of the economic operator, ***within the meaning of*** Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the Council<sup>51</sup> or any relevant act of Union law;

(d) the name, address, telephone number and electronic mail address of the economic operator, ***established in the Union and carrying out the tasks in accordance with*** Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the Council<sup>51</sup> or ***[Article XX of the General Product Safety Regulation], or*** any relevant act of Union law;

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<sup>51</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of

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<sup>51</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of



20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

Or. en

### **Amendment 1389**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

### **Proposal for a regulation**

#### **Article 22 – paragraph 1 – point d**

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

(d) the name, address, telephone number and electronic mail address of the economic operator, ***within the meaning of*** Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the Council<sup>51</sup> or any relevant act of Union law;

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<sup>51</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

##### *Amendment*

(d) the name, address, telephone number and electronic mail address of the economic operator ***established in the Union and carrying out the tasks in accordance with*** Article 3(13) and Article 4 of Regulation (EU)2019/1020 of the European Parliament and the Council<sup>51</sup> or ***[Article XX of the General Product Safety Regulation]*** or any relevant act of Union law;

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<sup>51</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

Or. en

##### *Justification*

*To be adjusted upon the final text of the GPSR proposal. If both the requirements of the market surveillance and the GPSR are covered, both harmonised and non-harmonised product traders would be in the scope of this article.*

**Amendment 1390**  
**Kosma Złotowski**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law.** **deleted**

Or. en

**Amendment 1391**

**Arba Kokalari, Marion Walsmann, Andreas Schwab, Krzysztof Hetman, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law.**

**(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law *and where applicable confirming that all products have been checked against the Union Rapid Alert System for dangerous non-food products (Rapex).***

Or. en

*Justification*

*To prevent the sale of unsafe and illegal products on online platforms.*

**Amendment 1392**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point f**

*Text proposed by the Commission*

(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law.

*Amendment*

(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law; ***where such commitment is included in the Terms and Conditions of the platform, the trader is exempt from the self-certification.***

Or. en

**Amendment 1393**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Karen Melchior**

**Proposal for a regulation**

**Article 22 – paragraph 1 – point f**

*Text proposed by the Commission*

(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law.

*Amendment*

(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law ***to the best of their abilities.***

Or. en

**Amendment 1394**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

**Proposal for a regulation**

**Article 22 – paragraph 1 – point f**

*Text proposed by the Commission*

(f) a self-certification by the trader ***committing to only offer*** products or services ***that*** comply with the ***applicable rules of Union law.***

*Amendment*

(f) a self-certification by the trader ***that*** products or services ***provided*** comply with the ***relevant Union or national law on product safety and product compliance.***

Or. en

**Amendment 1395**  
**Andreas Schwab**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) the type of online platform products or services that the trader intends to offer, including information allowing products or services to be clearly identified, as well as relevant details in accordance with EU statutory product and service conformity requirements, including, where appropriate, the CE marking, together with warnings, indications and labellings.***

Or. de

**Amendment 1396**  
**Alex Agius Saliba**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) information and documentation about products and services required by Union, Member State law or relevant technical standards and specifications, including product safety requirements.***

Or. en

**Amendment 1397**  
**Jiří Pospíšil**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) product safety information such as product labelling and registration number, where applicable, for the mitigation of risks posed by specific types of products.***

Or. en

**Amendment 1398**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**

**Article 22 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) whether the drop shipping principle is applied, i.e. goods are offered that are not in stock in the retailer's warehouse;***

Or. en

**Amendment 1399**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**

**Article 22 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Providers of online marketplaces shall require traders to provide the information referred to in points (a) and (e) immediately upon initial registration for its services. Traders shall be required to provide any supplementary material relating to the information requirements set out in Article 22(1) within a reasonable period, and prior to the use of***

*the service and offering of products and services to consumer.*

Or. en

#### **Amendment 1400**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Liesje Schreinemacher**

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

#### **Article 22 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Providers of online marketplaces shall require traders to provide the information referred to in points (a) and (e) immediately upon initial registration for its services. Traders shall be required to provide any supplementary material relating to the information requirements set out in Article 22(1) within a reasonable period, no later than before offering of products and services to consumer.***

Or. en

#### *Justification*

*The information is needed before trading, not merely to create an account. Traders should be given the time needed to obtain the required information.*

#### **Amendment 1401**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

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

#### **Article 22 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The online platform shall, upon receiving that information, ***make***

2. The online platform shall, upon receiving that information, assess, ***with the***

*reasonable efforts to* assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

*support of the Digital Service Coordinator if needed*, whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable *and official* sources. ***Online platforms allowing distance contracts with third-country traders shall establish that the third-country trader complies with the relevant Union or national law on product safety and product compliance before giving them access its services offered in the Union and, where appropriate, with the support of the Digital service Coordinator. The Digital Service Coordinator may request support from market surveillance or customs authorities to assess the information provided by the trader.***

Or. en

## **Amendment 1402**

**Alex Agius Saliba, Christel Schaldemose**

### **Proposal for a regulation**

#### **Article 22 – paragraph 2**

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

2. ***The*** online platform shall, upon receiving that information, make reasonable efforts to ***assess*** whether the information referred to in ***points (a), (d) and (e) of*** paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

##### *Amendment*

2. online platform shall, upon receiving that information, ***and prior to allowing traders to use its services***, make reasonable efforts to ***verify*** whether the information referred to in paragraph 1 is reliable, ***complete and up-to-date*** through the use of any freely accessible official online database or online interface made available by a Member States or the Union, ***by data processed by the online platform***, or through requests to the trader to provide supporting documents from reliable sources. ***Online platforms covered under this Article shall verify the information***

*listed in paragraph 1 from traders that already use their services prior to the entry into force and application of this Regulation.*

Or. en

**Amendment 1403**  
**Marion Walsmann**

**Proposal for a regulation**  
**Article 22 – paragraph 2**

*Text proposed by the Commission*

2. The online **platform** shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

*Amendment*

2. The online **marketplaces** shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database, **like RAPEX**, or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources. ***The online marketplaces shall require that traders promptly inform them of any changes to the information referred in points (a), (d), (e) and (f) and ensure that the information provided are up to date and accurate.***

Or. en

**Amendment 1404**  
**Arba Kokalari, Marion Walsmann, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera**

**Proposal for a regulation**  
**Article 22 – paragraph 2**



*Text proposed by the Commission*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) **and (e)** of paragraph 1 is reliable through the use of any freely accessible official online database or online **interface** made available by a Member **States** or the Union or through requests to the trader to provide supporting documents from reliable sources.

*Amendment*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) **(e) and (f)** of paragraph 1 is reliable through the use of any freely accessible official online database, **like the Rapex system** or online **interfaces** made available by a Member **State** or the Union or through requests to the trader to provide supporting documents from reliable sources. **The online platform shall require that traders promptly inform them of any changes to the information referred to in points (a), (d), (e) and (f) and regularly repeat this verification process.**

Or. en

**Amendment 1405**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation  
Article 22 – paragraph 2**

*Text proposed by the Commission*

2. The online **platform** shall, upon receiving that information, **make reasonable** efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is **reliable** through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

*Amendment*

2. The **providers of online marketplaces** shall, upon receiving that information **and before allowing traders to use their services, make best** efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is **accurate** through the use of any freely accessible official online database or online interface made available by **an authorized administrator or** a Member States or the Union or through **direct** requests to the trader to provide supporting documents from reliable sources.

Or. en

## Amendment 1406

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

### Proposal for a regulation

#### Article 22 – paragraph 2

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

2. The online **platform** shall, upon receiving that information, make **reasonable** efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is **reliable** through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

##### *Amendment*

2. The **providers of** online **marketplaces** shall, upon receiving that information, make **best** efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is **accurate** through the use of any freely accessible official online database or online interface made available by **an authorised administrator or** a Member States or the Union or through **direct** requests to the trader to provide supporting documents from reliable sources.

Or. en

##### *Justification*

*Not all databases are run directly by the Member States. Some business registries are held by private bodies for example.*

## Amendment 1407

Jiří Pospíšil

### Proposal for a regulation

#### Article 22 – paragraph 2

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

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union

##### *Amendment*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by **an authorized administrator**

or through requests to the trader to provide supporting documents from reliable sources.

*or* a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

Or. en

**Amendment 1408**  
**Kosma Złotowski**

**Proposal for a regulation**  
**Article 22 – paragraph 2**

*Text proposed by the Commission*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any ***freely accessible official online database*** or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

*Amendment*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the ***identification of the trader as*** information referred to in points (a), ***(b), (c)*** (d) and (e) of paragraph 1 is reliable through the use of any ***reliable and independent source*** or online interface made available by a Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

Or. en

**Amendment 1409**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 2**

*Text proposed by the Commission*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any ***freely accessible official online database*** or online interface made available by a Member States or the Union

*Amendment*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information ***provided by the trader, as*** referred to in points (a), (d), ***(c)*** and (e) of paragraph 1 is reliable through the use of any ***trustworthy independent source*** or online interface made available by a

or through requests to the trader to provide supporting documents from reliable sources.

Member States or the Union or through requests to the trader to provide supporting documents from reliable sources.

Or. en

#### **Amendment 1410**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

#### **Proposal for a regulation** **Article 22 – paragraph 2**

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

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member *States* or the Union or through requests to the trader to provide supporting documents from reliable sources.

##### *Amendment*

2. The online platform shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member *State* or the Union or through requests to the trader to provide supporting documents from reliable sources.

Or. en

#### **Amendment 1411**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

#### **Proposal for a regulation** **Article 22 – paragraph 2 a (new)**

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

##### *Amendment*

**2a. Before giving access to traders to offer products or services and to display advertising on their online interfaces, the online platform shall make reasonable efforts to prevent fraudulent practices on their platform, such as offers or**

**Amendment 1412**  
**Marion Walsmann**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

Where the online *platform* obtains indications that *any* item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that platform shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

*Amendment*

Where the online *marketplace* obtains indications that *information under paragraph 1 letter (f) is inaccurate it shall remove the product or service directly from their online platform and if any other* item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that platform shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

**Amendment 1413**  
**Arba Kokalari, Marion Walsmann, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

Where the online platform obtains indications that *any* item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that platform shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or

*Amendment*

Where the online platform obtains indications that *information under paragraph 1, letter (f) is inaccurate it shall remove the product or service directly from their online platform and if any other* item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that

within the time period set by Union and national law.

platform shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

Or. en

**Amendment 1414**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

Where the online platform *obtains indications that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that platform shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.*

*Amendment*

Where *a trader does not provide the information required under paragraph 1 after two reminders following the initial request by the online platform, but not prior to the expiration of 60 days, the latter shall*

Or. en

**Amendment 1415**  
**Alex Agius Saliba**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

Where the online platform obtains indications that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that platform shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or

*Amendment*

Where the online platform obtains indications, *or has sufficient reason to believe*, that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that platform shall request the trader to correct the information in so far as necessary to ensure that all information is

within the time period set by Union and national law.

accurate and complete, without delay or within the time period set by Union and national law.

Or. en

*Justification*

*The Commission text seems to imply that an online platform has to obtain such information or have potential inaccuracies pointed out for its attention and this could not be realistic in all cases.*

**Amendment 1416**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 22 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

Where the online *platform* obtains indications that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that *platform* shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

*Amendment*

Where the *providers of online marketplaces* obtains *sufficient* indications that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that *marketplace* shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

Or. en

*Justification*

*No information can ever be complete and there will always be minor issues (such as typos). Therefore, indications should be sufficient to act.*

**Amendment 1417**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

Where the online **platform obtains** indications that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that **platform** shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

*Amendment*

Where the **providers of online marketplaces obtain** indications that any item of information referred to in paragraph 1 obtained from the trader concerned is inaccurate or incomplete, that **online marketplace** shall request the trader to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law.

Or. en

**Amendment 1418**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

Where the trader fails to correct or complete that information, the online **platform** shall suspend the provision of its service to the trader until the request is complied with.

*Amendment*

Where the trader fails to correct or complete that information, the **providers of online marketplaces** shall suspend the provision of its service to the trader **in relations to the offering of products or services to consumers located in the Union** until the request is **fully** complied with.

Or. en

**Amendment 1419**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**



**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

Where the trader fails to correct or complete that information, the online **platform** shall suspend the provision of its service to the trader until the request is complied with.

*Amendment*

Where the trader fails to correct or complete that information, the online **marketplace** shall suspend the provision of its service to the trader ***in relations to the offering of products or services to consumers located in the Union*** until the request is ***fully*** complied with.

Or. en

*Justification*

*Such requirements apply only in relations to the Union and EU consumers. Many marketplaces are international and therefore it is not correct to suspend a trader in relations to non-EU services.*

**Amendment 1420**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

***Where the trader fails to correct or complete that information, the online platform shall*** suspend the provision of its service to the trader until the request is complied with.

*Amendment*

suspend the provision of its service to the trader until the request is complied with.

Or. en

**Amendment 1421**  
**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

Where the trader fails to correct or complete that information, the online platform shall suspend the provision of its service to the trader until the request is complied with.

*Amendment*

Where the trader fails to correct or complete that information *swiftly*, the online platform shall suspend the provision of its service to the trader until the request is complied with.

Or. en

**Amendment 1422**  
**Marion Walsmann**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

Where the trader fails to correct or complete that information, the online *platform* shall suspend the provision of its service to the trader until the request is complied with.

*Amendment*

Where the trader fails to correct or complete that information, the online *marketplace* shall suspend the provision of its service to the trader until the request is complied with.

Or. en

**Amendment 1423**  
**Alex Agius Saliba, Christel Schaldemose**

**Proposal for a regulation**  
**Article 22 – paragraph 3 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***In addition, the platforms covered under this obligation shall conduct random checks on the products and services traders offer on their online interfaces or parts thereof. These shall include but shall not be limited to regular and meaningful mystery shopping exercises and visual inspections.***

Or. en

**Amendment 1424**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**

**Article 22 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. The providers of online marketplaces shall ensure that traders are given the ability to discuss any information viewed as inaccurate or incomplete directly with a trader before any suspension of services. This may take the form of the internal complaint-handling system under Article 17.**

Or. en

**Amendment 1425**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 22 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. The providers of online marketplaces shall ensure that traders are given the ability to discuss any information viewed as inaccurate or incomplete directly with a trader before any suspension of services. This may take the form of the internal complaint-handling system under Article 17.**

Or. en

*Justification*

*Due to the direct negative impact that such a suspension would have on many traders, it is vital to give them a chance to discuss problems before a suspension.*

**Amendment 1426**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**

**Article 22 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b. If an online marketplaces rejects an application for services or suspends services to a trader, the trader shall have recourse to the systems under Article 17 and Article 43 of this Regulation.**

Or. en

**Amendment 1427**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 22 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b. If an online marketplace rejects an application for services or suspends services to a trader, the trader shall have recourse to the systems under Article 17 and Article 43 of this Regulation.**

Or. en

*Justification*

*procedural amendment*

**Amendment 1428**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**  
**Article 22 – paragraph 3 c (new)**

*Text proposed by the Commission*

*Amendment*

**3c. Traders shall be solely liable for the accuracy the information provided and shall inform without delay the online marketplace of any changes to the information provided.**

Or. en

**Amendment 1429**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**  
**Article 22 – paragraph 3 c (new)**

*Text proposed by the Commission*

*Amendment*

**3c. Traders shall be solely liable for the accuracy of the information provided and shall inform without delay the online marketplace of any changes to the information provided.**

Or. en

*Justification*

*Liability for a product rests solely with the trader of that product, including any information provided.*

**Amendment 1430**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

**Proposal for a regulation**  
**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. **They** shall **subsequently** delete the information.

*Amendment*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned, **asking the trader to notify any changes and confirm the information held by the online platform once a year. After the contractual relationship has ended, the online platform** shall delete the information.

Or. en

**Amendment 1431**

**Alex Agius Saliba, Christel Schaldemose**

**Proposal for a regulation**

**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

*Amendment*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information, **without prejudice to sector-specific legislation with longer storage requirements.**

Or. en

**Amendment 1432**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The online **platform** shall store the

*Amendment*

4. The online **marketplace** shall store

information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information ***no later than six months after the final conclusion of a distance contract.***

Or. en

*Justification*

*Maintaining this data for six months may help to find a trader if a product is discovered by a consumers to have problems that need to be addressed.*

**Amendment 1433**  
**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**  
**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

*Amendment*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information, ***where necessary following the expiry of its legal retention period.***

Or. fr

**Amendment 1434**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The online platform shall store the information obtained pursuant to paragraph

*Amendment*

4. The online platform shall store the information obtained pursuant to paragraph

1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information ***in accordance with relevant national and/or Union laws.***

Or. en

#### **Amendment 1435**

**Kosma Złotowski**

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

#### **Article 22 – paragraph 4**

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

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

##### *Amendment*

4. The online platform shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information ***in accordance with applicable laws.***

Or. en

#### **Amendment 1436**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

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

#### **Article 22 – paragraph 4**

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

4. The online ***platform*** shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

##### *Amendment*

4. The ***providers of online market places*** shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

Or. en



**Amendment 1437**  
**Marion Walsmann**

**Proposal for a regulation**  
**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The online *platform* shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

*Amendment*

4. The online *marketplace* shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for the duration of their contractual relationship with the trader concerned. They shall subsequently delete the information.

Or. en

**Amendment 1438**  
**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**  
**Article 22 – paragraph 5**

*Text proposed by the Commission*

5. Without prejudice to paragraph 2, the *platform* shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.

*Amendment*

5. Without prejudice to paragraph 2, the *providers of online marketplaces* shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.

Or. en

**Amendment 1439**  
**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin,**

**Liesje Schreinemacher**

**Proposal for a regulation  
Article 22 – paragraph 5**

*Text proposed by the Commission*

5. Without prejudice to paragraph 2, the **platform** shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.

*Amendment*

5. Without prejudice to paragraph 2, the **online marketplace** shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.

Or. en

*Justification*

*Technical amendment*

**Amendment 1440  
Marion Walsmann**

**Proposal for a regulation  
Article 22 – paragraph 5**

*Text proposed by the Commission*

5. Without prejudice to paragraph 2, the **platform** shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.

*Amendment*

5. Without prejudice to paragraph 2, the **marketplace** shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.

Or. en

**Amendment 1441  
Kosma Złotowski**

**Proposal for a regulation**  
**Article 22 – paragraph 6**

*Text proposed by the Commission*

6. The online platform shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.

*Amendment*

6. The online platform shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.  
***Where certain information may not be disclosed for privacy reasons, the online platform shall disclose the information in a way that is not detrimental to the trader's business operations. The online platform shall also provide effective means for the recipients of the service to enter in direct contact with the trader, whether through the information referred to in paragraph 1(b) or (c) or through any other electronic means made available by the online platform.***

Or. en

**Amendment 1442**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**  
**Article 22 – paragraph 6**

*Text proposed by the Commission*

6. The online platform shall make the information referred to in points (a), (d), (e) **and (f)** of paragraph 1 available to the recipients of the service, **in a clear**, easily accessible and comprehensible manner.

*Amendment*

6. The online platform shall make the information referred to in points (a), (d), (e), **(f) and (g)** of paragraph 1 available to the recipients of the service, easily accessible **in accordance with Directive (EU) 2019/882, in a clear** and comprehensible manner.

Or. en

#### **Amendment 1443**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

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

#### **Article 22 – paragraph 6**

*Text proposed by the Commission*

6. The online **platform** shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.

*Amendment*

6. The **providers of** online **marketplaces** shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.

Or. en

#### **Amendment 1444**

**Marion Walsmann**

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

#### **Article 22 – paragraph 6**

*Text proposed by the Commission*

6. The online **platform** shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.

*Amendment*

6. The online **marketplace** shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.

Or. en

#### **Amendment 1445**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

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

#### **Article 22 – paragraph 6**

*Text proposed by the Commission*

6. The online platform shall make the

*Amendment*

6. The online platform shall make the

information referred to in points (a), (d), (e) and (f) of paragraph 1 available *to the recipients of the service*, in a clear, easily accessible and comprehensible manner.

information referred to in points (a), (d), (e) and (f) of paragraph 1 **publicly** available, in a clear, easily accessible and comprehensible manner.

Or. en

**Amendment 1446**  
**Andrey Kovatchev**

**Proposal for a regulation**  
**Article 22 – paragraph 6 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Parts of the information may not be disclosed for privacy reasons. In these cases, the platform shall disclose the information in a way that is not detrimental to the trader's business operations. The online platform shall also provide effective means for the recipients of the service to enter in direct contact with the trader, through any electronic means, including those made available by the online platform.***

Or. en

**Amendment 1447**  
**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**  
**Article 22 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6a. In order to comply with paragraph 1 point (g), web shops shall inform close to the depicted goods if their goods are part of the stock or whether a manufacturer has to be found for them first. Online marketplaces shall provide third party sellers with a dropshipping***

*labelling tool, which they have to use if they want to be approved by the platform.*

Or. en

**Amendment 1448**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 22 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

**7. The online platform shall design and organise its online interface in a way that enables traders to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.** *deleted*

Or. en

*Justification*

*See new article*

**Amendment 1449**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Marco Zullo, Karen Melchior**

**Proposal for a regulation**

**Article 22 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

**7. The online platform shall design and organise its online interface in a way that enables traders to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.** *deleted*

Or. en

*Justification*

*moved to Article 22a*

**Amendment 1450**

**Alex Agius Saliba, Christel Schaldemose**

**Proposal for a regulation**

**Article 22 – paragraph 7**

*Text proposed by the Commission*

7. The online platform shall design and organise its online interface in a way that enables traders to comply with their obligations ***regarding pre-contractual information and product safety information*** under applicable Union *law*.

*Amendment*

7. The online platform shall design and organise its online interface in a way that enables ***themselves and*** traders to comply with their obligations under applicable Union ***and Member State law on consumer protection, including on product safety. Traders that do not fulfil their obligations under consumer and product safety legislation should be suspended and, as a last resort, not allowed on the platform. The online platform shall not subvert or impair consumers' autonomy, decision-making, or choice via the structure, function or manner of operation of their online interface or a part thereof.***

Or. en

**Amendment 1451**

**Marion Walsmann**

**Proposal for a regulation**

**Article 22 – paragraph 7**

*Text proposed by the Commission*

7. The online ***platform*** shall design and organise its online interface in a way that enables traders to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.

*Amendment*

7. The online ***marketplace*** shall design and organise its online interface in a way that enables traders to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.

**Amendment 1452**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**

**Article 22 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. The online platform may rely on the information provided by third party suppliers referred to in Article 6a point (b) Directive (EU) 2019/2161, unless the platform knows or ought to know, based on the available data regarding transactions on the platform, that this information is incorrect. Online platforms must take adequate measures to prevent traders from appearing on the platform as non-traders.**

**Amendment 1453**

**Kim Van Sparrentak, Alexandra Geese, Rasmus Andresen**

**Proposal for a regulation**

**Article 22 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. Online platforms facilitating short-term holiday rentals must obtain registration numbers, licencing numbers or an equivalent if such a number is required for the offering of short-term holiday rentals by EU, national or local law and must publish this number in the offer.**



**Amendment 1454**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**

**Article 22 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. An online platform is liable for damages caused to consumers by a violation of its duties in this Article;**

Or. en

**Amendment 1455**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**

**Article 22 – paragraph 7 c (new)**

*Text proposed by the Commission*

*Amendment*

**7c. The online platform must inform the consumer at the earliest possible point in time and immediately before the distance contract is concluded with a third-party provider in a prominent manner that the consumer is concluding a contract with the third party and not with the online platform. If the online platform violates its duty to provide information, the consumer can also assert the rights and legal remedies arising from the distance contract against the third party for non-performance against the online platform.**

Or. en

**Amendment 1456**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**  
**Article 22 – paragraph 7 d (new)**

*Text proposed by the Commission*

*Amendment*

**7d.** *If an online platform makes misleading information about third-party providers, about goods, services or digital content offered by third-party providers or about other provisions of the distance contract, the online platform is liable for the damage that these misleading information inflicts on consumers;*

Or. en

**Amendment 1457**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**  
**Article 22 – paragraph 7 e (new)**

*Text proposed by the Commission*

*Amendment*

**7e.** *An online platform is liable for guarantees, which it gives about third party supplier or about goods, services or digital content offered by third party supplier.*

Or. en

**Amendment 1458**  
**Alex Agius Saliba**

**Proposal for a regulation**  
**Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22a**

**Traceability of business customers**

**1.** *A provider of intermediary services*

*shall ensure that business customers can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the provider of intermediary services has obtained the following information:*

*(a) the name, address, telephone number and electronic mail address of the business customer;*

*(b) a copy of the identification document of the business customer or any other electronic identification as defined by Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the Council;*

*(c) the bank account details of the business customer, where the business customer is a natural person;*

*(d) the name, address, telephone number and electronic mail address of the economic operator, within the meaning of Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the Council or any relevant act of Union law;*

*(e) where the business customer is registered in a corporate or trade register or similar public register, the register in which the business customer is registered and its registration number or equivalent means of identification in that register;*

*(f) a self-certification by the business customer committing to only offer products or services that comply with the applicable rules of Union law.*

*2. The provider of intermediary services shall, upon receiving that information, make reasonable efforts to assess whether the information referred to in points (a),(d) and (e) of paragraph 1 is reliable through the use of any publicly accessible official online database or online interface made available by a Member States or the Union or through requests to the business customer to*

*provide supporting documents from reliable and independent sources.*

*3. The provider of intermediary services shall also verify that any person purporting to act on behalf of the business customer is so authorised and identify and verify the identity of that person.*

*4. Where the provider of intermediary services obtains indications, including through a notification by law enforcement agencies or other individuals with a legitimate interest, that any item of information referred to in paragraph 1 obtained from the business customer concerned is inaccurate, misleading, or incomplete, or otherwise invalid, that provider of an intermediary service shall request the business customer to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay or within the time period set by Union and national law. Where the business customer fails to correct or complete that information, the provider of intermediary services shall suspend the provision of its service to the business customer until the request is complied with.*

*5. The provider of intermediary services shall store the information obtained pursuant to paragraph 1 and 2 in a secure manner for a period of five years following the termination of their contractual relationship with the business customer concerned. They shall subsequently delete the information.*

*6. Providers of intermediary services shall apply the identification and verification measures not only to new business customers but they shall also update the information they hold on existing business customers on a risk-sensitive basis, and at least once a year, or when the relevant circumstances of a business customer change.*

*7. Without prejudice to paragraph 2, the provider of intermediary services shall*

*disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation, as well as pursuant to proceedings initiated under other relevant provisions of Union or national law.*

*8. The provider of intermediary provider of intermediary services shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.*

*9. The provider of intermediary services shall design and organise its online interface in a way that enables business customers to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.*

*10. The Digital Services Coordinator of establishment shall determine dissuasive financial penalties for non-compliance with any provision of this Article.*

Or. en

#### **Amendment 1459**

**Arba Kokalari, Marion Walsmann, Andrey Kovatchev, Andreas Schwab, Krzysztof Hetman, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Ivan Štefanec, Pilar del Castillo Vera**

#### **Proposal for a regulation Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 22a*

*Obligation to inform consumers and authorities about illegal products and*

services

**1. Where an online platform allows consumers to conclude distance contracts with traders, it shall be subject to additional information obligations for consumers. Where the online platform becomes aware of the illegal nature of a product or services offered by a trader on its interface it shall:**

**(a) immediately remove the illegal product from its interface and inform relevant authorities about it;**

**(b) maintain an internal database of content removed and/or recipients suspended pursuant to Article 20 to be used by internal content moderation systems tackling the identified risks;**

**(c) where the online platform has the contact details of the recipients of its services, inform such recipients of the service that have purchased said product or service during the past twelve months about the illegality, the identity of the trader and options for seeking redress;**

**(d) compile and make publicly available through application programming interfaces a repository containing information about illegal products and services removed from its platform in the past six months along with information about the concerned trader and options for seeking redress.**

Or. en

*Justification*

*To strengthen consumer protection and prevent the dissemination of illegal products and services.*

**Amendment 1460  
Marion Walsmann**

**Proposal for a regulation  
Article 22 a (new)**

***Article 22a***

***Additional obligations of online marketplaces***

- 1. Where an online marketplace becomes aware of the illegal nature of a product or service offered by a trader on its interface it shall:***
  - (a) immediately remove the illegal product from its interface and inform the authorities about that;***
  - (b) maintain an internal database of content removed and/or recipients suspended pursuant to Article 20 to be used by internal content moderation systems tackling the identified risks;***
  - (c) where the online marketplace has the contact details of the recipients of its services, inform such recipients of the service that have purchased said product or service during the past twelve months about the illegality, the identity of the trader and options for seeking redress;***
  - (d) compile and make publicly available through application programming interfaces a repository containing information about illegal products and services removed from its platform in the past six months along with information about the concerned trader and options for seeking redress.***

Or. en

**Amendment 1461**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Laurence Farreng, Marco Zullo, Karen Melchior, Stéphane Séjourné**

**Proposal for a regulation  
Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22a**

**Compliance by design**

- 1. Providers of online marketplaces shall design and organise their online interface in a fair and user-friendly way that enables traders to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.**
- 2. The online interface shall allow traders to provide in particular the information referred to under paragraph 6 of Article 22, the information referred to in Article 6 of Directive 2011/83/EU on Consumers Rights, information allowing for the unequivocal identification of the product or the service, and, where applicable, information on sustainability of products, information on labelling, including CE marking, according to the Union legislation on product safety and compliance.**
- 3. This Article is without prejudice to additional requirements under other Union acts, including the [General Product Safety Regulation] and [Market Surveillance Regulation]**

Or. en

**Amendment 1462**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoş, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22a**



### *Compliance by design*

- 1. Providers of online marketplaces shall design and organise its online interface in a way that enables traders to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.*
- 2. The online interface shall allow traders to provide at least the information necessary for the unequivocal identification of the products or the services offered, and, where applicable, the information concerning the labelling in compliance with rules of applicable Union law on product safety and product compliance.*
- 3. This Article is without prejudice to additional requirements under other Union acts, including the [General Product Safety Regulation] and [Market Surveillance Regulation]*

Or. en

### *Justification*

*While the rules for products themselves are set down in the GPSR and in the NLF acts, if a marketplaces can use its interface to make it easier for traders to show compliance they should do so.*

### **Amendment 1463**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

### **Proposal for a regulation Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

### *Article 22a*

*Duty to protect recipients of the service  
Operators of online platforms allowing  
consumers to conclude distance contracts  
with traders or consumers, or of very*

*large online platforms according to Article 25, who fail to take adequate measures for the protection of the recipients of the service upon obtaining credible evidence of criminal conduct of a recipient of the service to the detriment of other recipients or evidence of the illegality of a certain product, service, commercial practice or advertising method of a third party supplier, shall be held liable for the damages caused resulting from such a failure.*

Or. en

**Amendment 1464**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 22a*

*Transparency for sustainable  
consumption*

*Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that it provides consumers in a clear and unambiguous manner and in real time with information on the environmental impact of its products and services, such as the use of sustainable and efficient delivery methods, sustainable and ecological packaging, as well as the environmental costs of returning goods in the event of withdrawal.*

Or. en

**Amendment 1465**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe**

**Proposal for a regulation**  
**Article 22 b (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22b**

***Additional provisions for online marketplaces related to illegal offers***

- 1. The providers of online marketplaces shall take adequate measures in order to prevent the dissemination by traders using their service for offers for a product or a service, which do not comply with Union law.***
- 2. Where the providers of online marketplaces obtain indication including on the elements listed in points (a) and (b) of paragraph 2 of Article 14, and according to which an item of information referred to in Article 22a is inaccurate, the providers of online marketplaces shall request the trader to give evidence of the accuracy of that item of information or to correct it, without delay. Where traders fail to comply with such request, the providers of online marketplaces shall suspend traders' offer pending compliance with the request.***
- 3. Before the trader's offer is made available on the online marketplaces, the providers of online marketplaces shall make their best efforts to assess, whether traders have provided the information referred to in paragraphs 1 and 2 of Article 22a, and whether the offer to consumers located in the Union is on the list, or the lists, of products or categories of products classified as non-compliant, according to any freely accessible official online database or online interface, or through direct requests to the trader to provide supporting documents from reliable sources. The providers of online marketplaces shall not authorise the***

*trader to provide the offer online in case of non-compliance.*

*4. Where notified by market surveillance or customs authorities about the illegality of traders offer according to applicable law on product safety, the providers of online marketplaces shall remove the offers or disable access to them without delay and inform the respective traders and competent authorities.*

*5. The providers of online marketplaces shall demonstrate their best efforts to take effective and proportionate measures to prevent offers of counterfeit products as well as to prevent the reappearance of offers of previously notified and removed counterfeit products. To that end, providers of online marketplaces shall take into account the information received in accordance with Article 14 in the context of any content moderation system aiming at preventing reappearance, detecting, identifying, removing or disabling access to dangerous products offered on their marketplace. The measures referred to in this paragraph shall not lead to general monitoring as provided for in Article 7.*

*6. The providers of online marketplaces shall suspend without undue delay the provision of their services to traders that provide repeatedly illegal offers for a product or a service. They shall notify immediately its decision to the trader and competent authorities.*

*7. Where the providers of online marketplaces become aware, irrespective of the means used to, of the illegal nature of a product or service offered through their services, they shall inform without undue delay the recipients of the service that had acquired such product or contracted such services, about the illegality, the identity of the trader and any means of redress. Where the provider of the online marketplace does not have*

*the contact details of the recipients of the service, the provider shall make publicly available and easily accessible on their online interface the information concerning the illegal products or services removed, the identity of the trader and any means of redress.*

*8. The providers of online marketplaces shall be entitled to right to redress towards the traders failing to comply with their obligations towards the online marketplaces or consumers. Consumers shall be entitled to right to redress towards the providers of online marketplaces for the failure of the latter to comply with the obligations under Articles 22, 22a and 22 b.*

Or. en

#### **Amendment 1466**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

#### **Proposal for a regulation Article 22 b (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 22b**

##### **Right to information**

*1. Where a provider of an online marketplace becomes aware, irrespective of the means used to, of the illegal nature of a product or service offered through its services, it shall inform, wherever possible, those recipients of the service that had acquired such product or contracted such service during the last six months about the illegality, the identity of the trader and any means of redress.*

*2. Where the provider of the online marketplace does not have the contact details of the recipients of the service*

*referred to in paragraph 1, the provider shall make publicly available and easily accessible on their online interface the information concerning the illegal products or services removed, the identity of the trader and any means of redress.*

Or. en

*Justification*

*While the rules for products themselves are set down in the GPSR and in the NLF acts, if a marketplace becomes aware that a product that was sold is illegal and it has the ability to inform those who purchase it of this information, they should do so.*

**Amendment 1467**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**

**Article 23 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(aa) the number of complaints received through the internal complaint-handling system referred to in Article 17, the basis for those complaints, decisions taken in respect of those complaints, the average time needed for taking those decisions and the number of instances where those decisions were reversed;*

Or. en

**Amendment 1468**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**

**Article 23 – paragraph 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

*(ab) a list of all trusted flaggers and*

*their area of expertise;*

Or. en

**Amendment 1469**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

**Proposal for a regulation**

**Article 23 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the number of suspensions imposed pursuant to Article 20, distinguishing between suspensions enacted for the provision of *manifestly* illegal content, the submission of *manifestly* unfounded notices and the submission of *manifestly* unfounded complaints;

*Amendment*

(b) the number of suspensions imposed pursuant to Article 20, distinguishing between suspensions enacted for the provision of illegal content, the submission of unfounded notices and the submission of unfounded complaints;

Or. en

**Amendment 1470**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Axel Voss, Ivan Štefanec, Barbara Thaler**

**Proposal for a regulation**

**Article 23 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) any use made of automatic means for the purpose of content moderation, including a specification of the precise purposes, *indicators of the accuracy of the automated means in fulfilling those purposes* and any safeguards applied.

*Amendment*

(c) any use made of automatic means for the purpose of content moderation, including a specification of the precise purposes, and any safeguards applied.

Or. en

#### **Amendment 1471**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

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

#### **Article 23 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) any use made of automatic means for the purpose of content moderation, including a specification of the precise purposes, indicators of the accuracy of the automated means in fulfilling those purposes and any safeguards applied.

*Amendment*

(c) any use made of automatic means for the purpose of content moderation, including a specification of the precise purposes, indicators of the accuracy of the automated means in fulfilling those purposes and any safeguards applied, ***including human review.***

Or. en

#### **Amendment 1472**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Laurence Farreng, Stéphane Séjourné, Karen Melchior, Marco Zullo**

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

#### **Article 23 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) the number of advertisements that were removed, labelled or disabled by the online platform and justification of the decisions;***

Or. en

#### **Amendment 1473**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Barbara Thaler**

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

#### **Article 23 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Online platforms shall ***publish***, at

2. Online platforms shall



least once every **six** months, information on the average monthly active recipients of the service in **each Member State**, calculated as an average over the period of the past **six** months, in accordance with the methodology laid down in the delegated acts adopted pursuant to Article 25(2).

**communicate to the Digital Services Coordinator of establishment**, at least once every **twelve** months, information on the average monthly active recipients of the service in **the Union**, calculated as an average over the period of the past **twelve** months, in accordance with the methodology laid down in the delegated acts adopted pursuant to Article 25(2).

Or. en

#### *Justification*

*To protect trade secrets and limit disproportionate administrative obligations on online platforms.*

#### **Amendment 1474**

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**  
on behalf of the ID Group

#### **Proposal for a regulation** **Article 23 – paragraph 2**

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

2. Online platforms shall publish, at least once every **six** months, information on the average monthly active recipients of the service in each Member State, calculated as an average over the period of the past **six** months, in accordance with the methodology laid down in the delegated acts adopted pursuant to Article 25(2).

##### *Amendment*

2. Online platforms shall publish, at least once every **twelve** months, information on the average monthly active recipients of the service in each Member State, calculated as an average over the period of the past **twelve** months, in accordance with the methodology laid down in the delegated acts adopted pursuant to Article 25(2).

Or. en

#### **Amendment 1475**

**Adam Bielan, Kosma Zlotowski, Eugen Jurzyca, Beata Mazurek**

#### **Proposal for a regulation** **Article 23 – paragraph 2**

*Text proposed by the Commission*

2. Online platforms shall publish, at least once every six months, information on the average monthly active **recipients** of the service in each Member State, calculated as an average over the period of the past six months, in accordance with the methodology laid down in the delegated acts adopted pursuant to Article 25(2).

*Amendment*

2. Online platforms shall publish, at least once every six months, information on the average monthly active **end users** of the service in each Member State, calculated as an average over the period of the past six months, in accordance with the methodology laid down in the delegated acts adopted pursuant to Article 25(2).

Or. en

**Amendment 1476**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Krzysztof Hetman, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

**Proposal for a regulation**

**Article 23 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Member States shall refrain from imposing additional transparency reporting obligations on the online platforms, other than specific requests in the context of exercising their supervisory powers.**

Or. en

*Justification*

*To prevent fragmentation of the internal market.*

**Amendment 1477**

**Jean-Lin Lacapelle, Virginie Joron, Alessandra Basso**

**Proposal for a regulation**

**Article 23 – paragraph 3**

*Text proposed by the Commission*

3. Online platforms shall communicate to the Digital Services **Coordinator** of *establishment*, upon *its* request, the information referred to in paragraph 2, updated to

*the* moment of such request. *That* Digital Services **Coordinator** may require the

*online* platform to provide additional information as regards the calculation referred

*to* in that paragraph, including explanations and substantiation in respect of the data

*used*. That information shall not include personal data.

*Amendment*

3. Online platforms shall communicate to the Digital Services **Coordinators** of *the Member States*, upon *their* request, the information referred to in paragraph 2, updated to *the* moment of such request. *The* Digital Services **Coordinators** may require the *online* platform to provide additional information as regards the calculation referred *to* in that paragraph, including explanations and substantiation in respect of the data *used*. That information shall not include personal data.

Or. fr

**Amendment 1478**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**

**Article 23 – paragraph 4**

*Text proposed by the Commission*

4. The Commission *may* adopt implementing acts to lay down templates concerning the form, content and other details of reports pursuant to paragraph 1.

*Amendment*

4. The Commission *shall* adopt implementing acts to *establish a set of key performance indicators and* lay down templates concerning the form, content and other details of reports pursuant to paragraph 1.

Or. en

**Amendment 1479**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-**

**Courtin, Liesje Schreinemacher, Bart Groothuis**

**Proposal for a regulation  
Article 23 – paragraph 4**

*Text proposed by the Commission*

4. The Commission **may** adopt implementing acts to lay down templates concerning the form, content and other details of reports pursuant to paragraph 1.

*Amendment*

4. The Commission **shall** adopt implementing acts to lay down templates concerning the form, content and other details of reports pursuant to paragraph 1.

Or. en

*Justification*

*reports are only comparable if they found the same form and content.*

**Amendment 1480**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation  
Article 23 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. Where published to the general public, the annual transparency reports referred to in paragraph 1 shall not include information that may prejudice ongoing activities for the prevention, detection, or removal of illegal content or content counter to a hosting provider's terms and conditions.**

Or. en

*Justification*

*Too many information can lead to the gaming of a system to a negative effect on consumers and other users. Care must be taken to prevent this.*

**Amendment 1481**  
**Róza Thun und Hohenstein**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 23a**

***Online advertising and recommender systems***

- 1. Online platforms that use recommender systems and systems for selecting and displaying advertisements shall set out in an easily accessible place in their online interface in a clear, accessible and easily comprehensible manner, relevant information on the functioning of these systems, in particular their parameters.***
- 2. The parameters referred to in paragraph 3 shall include at least:***
  - (a) the criteria used by relevant systems,***
  - (b) the indication of the importance that specific criteria have for outputs produced by relevant systems,***
  - (c) the optimisation goals of relevant systems, if applicable, a list of categories of personal data taken into account by relevant systems, sources of this data, and an explanation of the role that the behaviour of the recipients of the service plays in how relevant systems produce their outputs, in the case of very large online platforms, the summary of risk assessments referred to in Article 26 and the description of mitigation measures referred to in Article 27.***

Or. en

**Amendment 1482**  
**Róza Thun und Hohenstein**

**Proposal for a regulation**  
**Article 24 – title**

*Text proposed by the Commission*

*Amendment*

Online advertising *transparency*

*Transparency of* online advertising *and suggested content*

Or. en

**Amendment 1483**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**  
**Article 24 – title**

*Text proposed by the Commission*

*Amendment*

Online advertising transparency

Online advertising transparency *and control*

Or. en

**Amendment 1484**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

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

*Text proposed by the Commission*

*Amendment*

*Online platforms that display advertising on their online interfaces shall ensure that the recipients of the service can identify, for each specific advertisement displayed to each individual recipient, in a clear and unambiguous manner and in real time:*

*deleted*

*(a) that the information displayed is an advertisement;*

*(b) the natural or legal person on*

*whose behalf the advertisement is displayed;*

*(c) meaningful information about the main parameters used to determine the recipient to whom the advertisement is displayed.*

Or. en

#### **Amendment 1485**

**Martin Schirdewan, Anne-Sophie Pelletier**

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

#### **Article 24 – paragraph 1 – introductory part**

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

Online platforms that display advertising on their online interfaces shall ensure that the recipients of the service can identify, for each specific advertisement displayed to each individual recipient, in a clear and unambiguous manner and in real time:

##### *Amendment*

Online platforms that display advertising on their online interfaces, ***per default it shall not be based on profiling unless users genuinely opt-in, in line with the requirements established under Regulation (EU) 2016/679. Online platforms shall not subvert or impair consumers' autonomy, decision-making, or choice via the structure, function or manner of operation of their online interface or any part thereof. In addition online platforms*** shall ensure that the recipients of the service can identify, for each specific advertisement displayed to each individual recipient, in a clear and unambiguous manner and in real time:

Or. en

#### **Amendment 1486**

**Karen Melchior**

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

#### **Article 24 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) that the information displayed is an advertisement;

*Amendment*

(a) that the information displayed ***on the interface or parts thereof*** is an ***online*** advertisement, ***including through prominent and harmonised marking***;

Or. en

**Amendment 1487**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**

**Article 24 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) that the information displayed is an advertisement;

*Amendment*

(a) that the information displayed ***on the interface or parts thereof*** is an ***online*** advertisement, ***including through prominent and harmonised marking***;

Or. en

**Amendment 1488**

**Karen Melchior, Anna Júlia Donáth**

**Proposal for a regulation**

**Article 24 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the natural or legal person on whose behalf the advertisement is displayed;

*Amendment*

(b) the natural or legal person on whose behalf the advertisement is displayed ***and the natural or legal person who finances the advertisement***;

Or. en

**Amendment 1489**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe**



**Grudler, Marco Zullo, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

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

*Text proposed by the Commission*

(b) the natural or legal person on whose behalf the advertisement is displayed;

*Amendment*

(b) the natural or legal person on whose behalf the advertisement is displayed ***and the natural or legal person who financed the advertisement;***

Or. en

**Amendment 1490  
Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde**

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

*Text proposed by the Commission*

(b) the natural or legal person on whose behalf the advertisement is displayed;

*Amendment*

(b) the natural or legal person on whose behalf the advertisement is displayed ***and the natural or legal person who finances the advertisement;***

Or. en

*Justification*

*A key element of greater advertising transparency is knowing what natural, or legal, person is financing the advertisement. This would help recipients understand why they are being shown certain advertisements and allow researchers to analyse whether specific proxies or nominee accounts are used to fund platforms and hide the actual beneficiary of the advertisement.*

**Amendment 1491  
Jean-Lin Lacapelle, Virginie Joron**

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

*Text proposed by the Commission*

(b) the natural or legal person on

*Amendment*

(b) the natural or legal person on

whose behalf the advertisement is displayed;

whose behalf the advertisement is displayed, *as well as their nationality*;

Or. fr

**Amendment 1492**  
**Róza Thun und Hohenstein**

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

*Text proposed by the Commission*

(c) meaningful information about the *main* parameters used to determine the recipient to whom the advertisement is displayed.

*Amendment*

(c) *if an advertisement is targeted specifically to them*, meaningful information about the parameters used to determine the recipient to whom the advertisement is displayed, *including, where applicable, the targeting criteria and the optimisation goal selected by the advertiser*;

Or. en

**Amendment 1493**  
**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

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

*Text proposed by the Commission*

(c) meaningful information about the main parameters used to determine the recipient to whom the advertisement is displayed.

*Amendment*

(c) *clear*, meaningful *and uniform* information about the main parameters used to determine the recipient to whom the advertisement is displayed *and the logic involved*;

Or. en

**Amendment 1494**  
**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten**

Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

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

*Text proposed by the Commission*

(c) meaningful information about the main parameters used to determine the recipient to whom the advertisement is displayed.

*Amendment*

(c) **clear**, meaningful **and uniform** information about the main parameters used to determine the recipient to whom the advertisement is displayed **and the logic involved**.

Or. en

**Amendment 1495**  
**Barbara Thaler, Arba Kokalari**

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

*Text proposed by the Commission*

(c) meaningful information about the main parameters used to determine **the recipient to whom the advertisement is** displayed.

*Amendment*

(c) meaningful information about the main parameters used **in general** to determine **which advertisements are displayed to them on the respective online platform**.

Or. en

**Amendment 1496**  
**Karen Melchior, Anna Júlia Donáth**

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

*Text proposed by the Commission*

(c) meaningful information about the **main** parameters used to determine the recipient to whom the advertisement is displayed.

*Amendment*

(c) **clear**, meaningful **and uniform** information about the parameters used to determine the recipient to whom the advertisement is displayed

**Amendment 1497**  
**Marco Zullo**

**Proposal for a regulation**  
**Article 24 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) the possibility to view the personal information held by the platform that led to being identified as the recipient of the advertising;*

*(cb) the possibility of being able to modify the options necessary to continue or not to be identified as the recipient of the advertisement.*

Or. en

**Amendment 1498**  
**Róza Thun und Hohenstein**

**Proposal for a regulation**  
**Article 24 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) if the online platform uses automated systems to determine the recipients of the service to whom the advertisement shall be displayed, meaningful information about the reasons why a given advertisement has been deemed relevant for a specific recipient of the service;*

Or. en

**Amendment 1499**  
**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron**

on behalf of the ID Group

**Proposal for a regulation**  
**Article 24 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Special attention shall be given to recipients of the service who are minors. When advertising is addressed to minors, online platforms shall indicate in a clear, easy and unambiguous manner that such advertising targets this group of recipients.***

Or. en

**Amendment 1500**  
**Martin Schirdewan, Anne-Sophie Pelletier**

**Proposal for a regulation**  
**Article 24 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***By way of derogation from Regulation 2016/679, providers shall not avail themselves of consent as a legal ground for processing of personal data in order to target natural persons for purposes of digital advertising.***

Or. en

**Amendment 1501**  
**Jiří Pospíšil**

**Proposal for a regulation**  
**Article 24 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) A provider shall not allow any post which the provider knows to be false or misleading with the objective to promote***

*the selling or supply that results from the publication or display being made.*

Or. en

**Amendment 1502**

**Karen Melchior, Anna Júlia Donáth**

**Proposal for a regulation**

**Article 24 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) if the advertisement was displayed using an automated tool and the identity of the person responsible for that tool;*

Or. en

**Amendment 1503**

**Tomislav Sokol, Ivan Štefanec**

**Proposal for a regulation**

**Article 24 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) contracted amount of payment for online advertising expressed in euros if it is a paid advertisement.*

Or. en

**Amendment 1504**

**Róza Thun und Hohenstein**

**Proposal for a regulation**

**Article 24 – paragraph 1 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

*(cb) if applicable, information on the use of pre-defined lists and the categories,*

*the source of personal data uploaded to the online platform as well as the legal basis for uploading this personal data pursuant to Regulation (EU) 2016/679, as well as information on the use of targeting methods aimed at displaying an advertisement to recipients who are similar to a specific group together with meaningful information on the reasons why such similarity was established.*

Or. en

**Amendment 1505**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**

**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The online platform shall design and organise its online interface in such a way that recipients of the service can easily and efficiently exercise their rights under applicable Union law in relation to the processing of their personal data for each specific advertisement displayed to the data subject on the platform, in particular:*

*(a) to withdraw consent or to object to processing;*

*(b) to obtain access to the personal data concerning the data subject;*

*(c) to obtain rectification of inaccurate personal data concerning the data subject;*

*(d) to obtain erasure of personal data without undue delay;*

*Where a recipient exercises any of these rights, the online platform must inform any parties to whom the personal data concerned in points (a)-(d) have been enclosed in accordance with Article 19 of*

**Amendment 1506**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

**Proposal for a regulation**

**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to other Union acts, online platforms that display user-generated content that may include sponsored information or other information equivalent to advertising, which is normally provided against remuneration, shall including in their terms and conditions an obligation for the recipients of their service to inform other recipients of when they have received remuneration or any other goods in kind for their content. A failure to inform the platform or other recipients shall constitute a violation of the provider's terms and conditions.*

Or. en

*Justification*

*While covered by other Union law in addition to this regulation, it is important to connect this to the rules on terms and conditions within this regulation in order to give a grounds for further enforcement of these rules.*

**Amendment 1507**

**Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**

**Article 24 – paragraph 1 a (new)**



*Text proposed by the Commission*

*Amendment*

***Online platforms or advertising service providers that play out advertisements shall also check the accuracy of the information about the advertiser in accordance with the due diligence obligations pursuant to Article 22. If there are indications of dubious offers - in the case of obviousness, user reports and web shops "blacklisted" on warning lists - platforms or the advertising service providers behind them may not display the advertising.***

Or. en

**Amendment 1508  
Róza Thun und Hohenstein**

**Proposal for a regulation  
Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Very large online platforms that suggest content to which the recipients of the service have not explicitly subscribed shall ensure that the recipients of the service can identify, for each specific suggestion, in a clear and unambiguous manner and in real time, meaningful information about the criteria used to suggest this content to the recipient, including, where applicable, personal data of the recipient taken into account.***

Or. en

**Amendment 1509  
David Lega, Hilde Vautmans, Antonio López-Istúriz White, Dragoş Pişlaru, Milan Brglez, Eva Kaili, Alex Agius Saliba, Ioan-Rareş Bogdan, Josianne Cutajar**

**Proposal for a regulation**  
**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**2. The profiling of children for commercial purposes, including targeted or personalised advertising, is prohibited in compliance with the industry-standards laid down in Article 34 and Regulation (EU) 2016/679.**

Or. en

**Amendment 1510**

**Arba Kokalari, Andrey Kovatchev, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

**Proposal for a regulation**  
**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**2. Online platforms shall provide information mentioned in paragraph 1 to public authorities, upon their request, in order to determine accountability in case of false or misleading advertisement.**

Or. en

**Amendment 1511**

**Karen Melchior, Anna Júlia Donáth**

**Proposal for a regulation**  
**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**The Commission shall adopt an implementing act establishing harmonised specifications for the marking referred to in paragraph 1(a) of this Article.**

**Amendment 1512**

**Arba Kokalari, Andrey Kovatchev, Pablo Arias Echeverría, Andreas Schwab, Krzysztof Hetman, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Róza Thun und Hohenstein, Tomislav Sokol, Ivan Štefanec, Andrea Caroppo, Barbara Thaler**

**Proposal for a regulation**

**Article 24 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

**3. Providers of intermediary services shall obtain consent from the recipients of their service, in order to provide them with micro targeted and behavioural advertisement. Providers of intermediary services shall ensure that recipients of services can easily make an informed choice when expressing their consent by providing them with meaningful information.**

**Amendment 1513**

**Sandro Gozi, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**

**Article 24 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

**Where a recipient exercises any of the rights referred to points (a), (c) or (d) in paragraph 2, the online platform must immediately cease displaying advertisements using the personal data concerned or using parameters which were set using this data.**

**Amendment 1514**  
**Karen Melchior, Anna Júlia Donáth**

**Proposal for a regulation**  
**Article 24 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***Providers of intermediary services shall inform the natural or legal person on whose behalf the advertisement is displayed where the advertisement has been displayed.***

Or. en

**Amendment 1515**  
**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**  
**Article 24 – paragraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***Online platforms that display advertising on their online interfaces shall ensure that advertisers:***

- (a) can request and obtain information on where their advertisements have been placed;***
- (b) can request and obtain information on which broker treated their data;***
- (c) can indicate on which specific location their ads cannot be placed. In case of non-compliance with this provision, advertisers shall have the right to judicial redress.***

Or. en

**Amendment 1516**  
**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe**

**Grudler, Stéphane Séjourné, Laurence Farreng, Marco Zullo, Karen Melchior**

**Proposal for a regulation  
Article 24 – paragraph 1 d (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall adopt an implementing act establishing harmonised specifications for the marking referred to in paragraph 1(a) of this Article.***

Or. en

**Amendment 1517  
Ramona Strugariu, Vlad-Marius Botoș, Karen Melchior**

**Proposal for a regulation  
Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 24a***

***Recommender systems - prominence of public journalism***

***1. Online platforms shall ensure due prominence of public interest journalism on their services. Services that cater to special interests may be exempted from this obligation. Appropriate prominence measures should include the use of technical standards established in a participatory and transparent manner in order to identify media outlets and entities operating according to the highest, internationally recognized professional norms to produce reliable and accurate information.***

***2. Providers of public interest journalism shall be identified through voluntary, self-regulatory European standards or European standardization deliverables as defined by Regulation (EU) No. 1025/2012 ('technical standards'), which are transparently developed, governed and enforced. Any of***

*those standards shall be based on internationally accepted best-practices and ethical norms to serve as legitimate criteria to implement the due prominence obligation. The application of these technical standards must be attributed and disclosed by and to all parties involved.*

*3. Appropriate measures as per this provision shall not discriminate on the basis of content or viewpoint. Intermediaries shall not treat non-compliance with or non-usage of such technical standards as a reason to exclude, down rank, demote or otherwise actively affect the visibility or monetization of content in a negative way. In order to demonstrate compliance with their duty to ensure due prominence for public interest journalism on their services, online intermediaries shall establish mandatory transparent mechanisms and metrics of indexation, regarding the discoverability and visibility in search ranks, news feeds and products, including the provision of data and information on prioritization, personalization, and recommendation algorithms, audits and complaints in an accountable manner.*

*4. A Digital Services Coordinator shall monitor and assess if appropriate measures adopted by online intermediaries under this article are sufficient to contribute to media pluralism and diversity in their respective national markets. To this end, the Digital Services Coordinator should rely on self-regulatory and co-regulatory mechanisms.*

*5. Recipients of services shall always have a clear and easily accessible choice to opt out of the appropriate measures designed to ensure due prominence to public interest journalism.*

Or. en

## **Amendment 1518**

**Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

### **Proposal for a regulation**

#### **Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 24a*

##### *Recommender systems*

- 1. Online platforms that use recommender systems or any other system used to select and determine the order of presentation of content shall set out in their terms and conditions, in a clear, accessible and easily comprehensible format, the parameters used in their recommender systems, as well as the options provided to the recipients of the service to select or modify those parameters.*
- 2. The parameters referred to in paragraph 1 shall include at least the following information:*
  - (a) the criteria and logic used by the recommender systems, including input data and performance metrics;*
  - (b) how these criteria are weighted against each other;*
  - (c) the optimisation goal of the recommender systems;*
  - (d) an explanation of how the behaviour of the recipients of the service may impact the functioning and outputs of the recommender systems.*
- 3. Online platforms shall provide options for the recipients of the service to access their profile to select and modify the parameters of the relevant recommender system, including at least one option which is not based on profiling within the meaning of Article 4 (4) of*

**Regulation (EU) 2016/679 and which is activated by default.**

Or. en

*Justification*

*Additional article to distinguish it from the obligations on recommender systems for VLOPs in Article 29. Recommender systems shape what end users see on platforms. However, platforms provide very little information on the systems they use, and how they work in practice. This lack of information is alarming because it means that the influence these systems have over users' access to different types of content, and their potential to promote certain types of problematic content to certain users, or to hide entirely legitimate content or conversations cannot be properly examined.*

**Amendment 1519**

**Andreas Schieder, Evelyne Gebhardt, Maria Grapini, Marc Angel**

**Proposal for a regulation**

**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

***Prevention measures against online fraud on platforms***

***Member States shall promote preventive measures to reduce consumer harm caused by illegal advertising and sales practices on platforms. This includes, among other things, the establishment of information platforms that publish daily warnings about current online traps. Such initiatives are linked Union-wide via a network, financed by the Commission and supported by an EU coordinator. Host providers provide clearly visible links to these prevention pages.***

Or. en

**Amendment 1520**

**Maria Grapini, Christel Schaldemose, Andreas Schieder, Marc Angel, Evelyne Gebhardt**



**Proposal for a regulation**  
**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

**Right to information**

**1. Where an online platform becomes aware, irrespective of the means used to, of the illegal nature of a product or service offered through its services, it shall inform those recipients of the service that had acquired such product or contracted such service during the last six months about the illegality, the identity of the trader and any means of redress.**

Or. en

*Justification*

*Consumers should have the right to know if the product they have purchased is not genuine, and more informed consumers are better equipped to resist future rogue trading attempts.*

**Amendment 1521**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 24 b (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24b**

***Additional obligations for platforms primarily used for the dissemination of user-generated pornographic content***

***Where an online platform is primarily used for the dissemination of user generated pornographic content, the platform shall take the necessary technical and organisational measures to ensure***

***(a) that users who disseminate content***

*have verified themselves through a double opt-in e-mail and cell phone registration;*

*(b) professional human content moderation in line with Article 14 paragraph 6 d (new) and trained to identify image-based sexual abuse, where content having a high probability of being illegal;*

*(c) the accessibility of a qualified notification procedure in the form that additionally to the mechanism referred to in Article 14 and respecting the same principles with the exception of paragraph 5 a(new), individuals may notify the platform with the claim that image material depicting them or purporting to be depicting them is being disseminated without their consent and supply the platform with prima facie evidence of their physical identity; content notified through this procedure is to be considered manifestly illegal in terms of Article 14 paragraph 6 a (new) and to be suspended without undue delay and at latest within 48 hours.*

Or. en

## **Amendment 1522**

**Ramona Strugariu, Vlad-Marius Botoș, Karen Melchior**

### **Proposal for a regulation**

#### **Article 24 b (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 24b*

##### *Transparency on algorithm modifications*

*1. Providers of online platforms shall be transparent about changes in their referencing and recommendation rules, even if made on an experimental basis, and shall immediately inform the regulators, their users and the authors of referenced content, allowing these*

*changes to be foreseen by those affected by them.*

*2. Users may refer to the regulator to ask it to give its opinion on the negative impact of changes to the referencing and recommendation rules, so that it can require the platform to remedy this impact.*

Or. en

**Amendment 1523**  
**Marco Zullo**

**Proposal for a regulation**  
**Article 24 b (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24b**

*For a more transparent and safe online environment*

*When using a digital service the recipient of the service is interacting with a chatbot, it must be clearly stated that the communication is not with a human being but with a bot.*

Or. en

*Justification*

*The lack of clarity in the use of so-called chatbots is able to cause forms of discomfort in some categories of particularly vulnerable people. There are precedents in which some influencers have chosen to entrust communication with their audience of young and very young people using bots with a misleading language, acting on the emotionality of its user and mixing reality and fiction for commercial purposes.*

**Amendment 1524**  
**Marco Zullo**

**Proposal for a regulation**  
**Article 24 c (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24c**

***For a more transparent and safe online environment***

***The online platforms must provide access to the chronology in order to allow the verification of any changes made to the contents ex post, with regard to what is published by the recipient of the service.***

Or. en

*Justification*

*Being able to know how a content has changed over time can help to: (a) limit the spread of fake news that use the technique of attracting consensus on a real-content and then change it to fake-content when the rating has grown ; (b) limit misleading communications about products sold on online platforms by increasing the price compared to the real one only to bring up a higher discount percentage for the sale at a given time.*

**Amendment 1525**

**Ramona Strugariu, Vlad-Marius Botoș**

**Proposal for a regulation**

**Article 24 c (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24c**

**Neutrality**

***Very large online platforms are subject to an obligation of political, ideological or religious neutrality, and may not promote political parties, opinions, or ideas.***

Or. en

**Amendment 1526**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng**

**Proposal for a regulation**  
**Chapter III – Section 4 – title**

*Text proposed by the Commission*

*Amendment*

4Additional obligations for very large online platforms to manage systemic risks

Additional obligations for very large online platforms, *live streaming platforms, private messaging providers and search engines* to manage systemic risks

Or. en

**Amendment 1527**  
**Geoffroy Didier, Nathalie Colin-Oesterlé**

**Proposal for a regulation**  
**Article 25 – title**

*Text proposed by the Commission*

*Amendment*

Very large online platforms

Very large online platforms, *live streaming platforms, private messaging providers and search engines*

Or. en

**Amendment 1528**  
**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng**

**Proposal for a regulation**  
**Article 25 – title**

*Text proposed by the Commission*

*Amendment*

Very large online platforms

Very large online platforms, *live streaming platforms, private messaging providers and search engines*

Or. en

**Amendment 1529**  
**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle**

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

*Text proposed by the Commission*

1. This Section shall apply to online platforms which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

*Amendment*

1. This Section shall apply to online platforms which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3. ***This Section shall not apply to online platforms that qualify as micro, small or medium-sized enterprises (SMEs) within the meaning of the Annex to Recommendation 2003/361/EC. In addition, this Section shall not apply to enterprises that previously qualified for the status of a micro, small or medium-sized enterprise within the meaning of the Annex to Recommendation 2003/361/EC during the twelve months following their loss of that status pursuant to Article 4(2) thereof.***

Or. en

**Amendment 1530**  
**Jean-Lin Lacapelle, Virginie Joron**

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

*Text proposed by the Commission*

1. This Section shall apply to online platforms which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

*Amendment*

1. This Section shall apply to online platforms which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3, ***and whose annual global turnover is***

*equal to or greater than EUR 100 million.*

Or. fr

*Justification*

*The concept of ‘active user’ does not exist and is not defined in the text, and some platforms are unable to define an activity.*

**Amendment 1531**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

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

*Text proposed by the Commission*

1. This Section shall apply to online **platforms** which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

*Amendment*

1. This Section shall apply to online **platform services, live streaming platform services, private messaging services and search engine services** which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

Or. en

**Amendment 1532**

**Geoffroy Didier, Nathalie Colin-Oesterlé**

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

*Text proposed by the Commission*

1. This Section shall apply to online **platforms** which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in

*Amendment*

1. This Section shall apply to online **platform services, live streaming platform services, private messaging services and search engine services** which provide their services to a number of average monthly active recipients of the service in the Union

the delegated acts referred to in paragraph 3.

equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

Or. en

### **Amendment 1533**

**Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek**

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

##### **Article 25 – paragraph 1**

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

1. This Section shall apply to online platforms which provide their services to a number of average monthly active **recipients** of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

###### *Amendment*

1. This Section shall apply to online platforms which provide **for at least four consecutive months** their services to a number of average monthly active **end users** of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

Or. en

### **Amendment 1534**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

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

##### **Article 25 – paragraph 1 a (new)**

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

###### *Amendment*

**1a. This section shall not apply where, within the framework of an organised distribution network operating under a common brand, the provider of the intermediary service has a direct organisational, associative, cooperative or capital ownership link with the recipient of the service or where the intermediary service solely aims to intermediate content**



*between the members of the organised distribution framework and their suppliers.*

Or. en

### **Amendment 1535**

**Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek**

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

#### **Article 25 – paragraph 3**

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

3. The Commission shall adopt delegated acts in accordance with Article 69, after consulting the Board, to lay down a specific methodology for calculating the number of average monthly active **recipients** of the service in the Union, for the purposes of paragraph 1. The methodology shall specify, in particular, how to determine the Union's population and criteria to determine the average monthly active **recipients** of the service in the Union, taking into account different accessibility features.

##### *Amendment*

3. The Commission shall adopt delegated acts in accordance with Article 69, after consulting the Board, to lay down a specific methodology for calculating the number of average monthly active **end users** of the service in the Union, for the purposes of paragraph 1. The methodology shall specify, in particular, how to determine the Union's population and criteria to determine the average monthly active **end users** of the service in the Union, taking into account different accessibility features.

Or. en

### **Amendment 1536**

**Jean-Lin Lacapelle, Virginie Joron**

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

#### **Article 25 – paragraph 3**

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

3. The Commission shall adopt delegated acts in accordance with Article 69, after consulting the Board, to lay down a specific methodology for calculating the number of average monthly **active** recipients of the service in the Union, for the purposes of paragraph 1. The

##### *Amendment*

3. The Commission shall adopt delegated acts in accordance with Article 69, after consulting the Board, to lay down a specific methodology for calculating the number of average monthly recipients of the service in the Union, for the purposes of paragraph 1. The methodology shall

methodology shall specify, in particular, how to determine the Union's population and criteria to determine the average monthly active recipients of the service in the Union, taking into account different accessibility features.

specify, in particular, how to determine the Union's population and criteria to determine the average monthly active recipients of the service in the Union, taking into account different accessibility features.

Or. fr

#### **Amendment 1537**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Liesje Schreinemacher**

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

#### **Article 25 – paragraph 3 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Such a methodology shall ensure the following in relations to active recipients:***

***(1) automated interactions, accounts or data scans by a non-human (“bots”) are not included;***

***(2) that the mere viewing of a service without purchase, logging in or otherwise active identification of a recipient shall not be seen as an active recipient;***

***(3) that the number shall be based on each service individually;***

***(4) that recipients connected on multiple devices are counted only once;***

***(5) that indirect use of service, via a third party or linking, shall not be counted;***

***(6) where an online platform is hosted by another provider of intermediary services, that the active recipients are assigned solely to the online platform closest to the recipient;***

***(7) the average number is maintained for a period of at least six months.***

Or. en

*Justification*

*The minimum standards for defining the methodology should be set down in the legislation.*

**Amendment 1538**

**Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek**

**Proposal for a regulation**

**Article 25 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Digital Services Coordinator of establishment shall verify, at least every six months, whether the number of average monthly active *recipients* of the service in the Union of online platforms under their jurisdiction is equal to or higher than the number referred to in paragraph 1. On the basis of that verification, it shall adopt a decision designating the online platform as a very large online platform for the purposes of this Regulation, or terminating that designation, and communicate that decision, without undue delay, to the online platform concerned and to the Commission.

*Amendment*

The Digital Services Coordinator of establishment shall verify, at least every six months, whether the number of average monthly active *end users* of the service in the Union of online platforms under their jurisdiction is equal to or higher than the number referred to in paragraph 1. On the basis of that verification, it shall adopt a decision designating the online platform as a very large online platform for the purposes of this Regulation, or terminating that designation, and communicate that decision, without undue delay, to the online platform concerned and to the Commission.

Or. en

**Amendment 1539**

**Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek**

**Proposal for a regulation**

**Article 25 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. After receiving the decision about the designation as a very large online platform, the online platform may appeal this decision before the Digital Services Coordinator issuing the designation within 60 days. The Digital Services Coordinator may consult the Board. The***

***Digital Services Coordinator shall especially consider the following information while assessing the appeal:***

***(a) the type of content usually shared and the type of the active end user on a given online platform;***

***(b) the exposure to the illegal content as reported under Article 23 and measures taken to mitigate the risks by the online platform; and***

***(c) the exposure to the systemic risks as referred to in Article 26.***

***The Digital Services Coordinator shall decide on the appeal within 60 days. The Digital Services Coordinator may repeatedly initiate this procedure when deemed necessary, after accepting the appeal.***

Or. en

**Amendment 1540**  
**Geert Bourgeois**

**Proposal for a regulation**  
**Article 25 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. Very large social online platforms are a subcategory of very large online platforms, which people use primarily to build a social network and social relationships.***

Or. nl

**Amendment 1541**  
**Adam Bielan, Kosma Zlotowski, Beata Mazurek**

**Proposal for a regulation**  
**Article 25 – paragraph 4 b (new)**

*Text proposed by the Commission*

*Amendment*

**4b.** *The Digital Services Coordinator of establishment may request any online platform to submit a report assessing the dissemination of illegal content through their services, when justified by the information provided in the report submitted in accordance with Article 23. If, after thorough assessment, the Digital Services Coordinator has identified the platform in question as posing significant systemic risks stemming from dissemination of illegal content through their services in the Union, the Digital Services Coordinator may then require proportionate compliance with some or all obligations of Articles 26 to 37.*

Or. en

**Amendment 1542**

**Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek**

**Proposal for a regulation**

**Article 25 – paragraph 4 c (new)**

*Text proposed by the Commission*

*Amendment*

**4c.** *The Commission shall adopt delegated acts in accordance with Article 69, after consulting the Board, to lay down specific methodology for the purpose of paragraph 4a and 4b.*

Or. en

**Amendment 1543**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**

**Article 25 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 25a**

***Legal representatives of very large online platforms***

***Very large online platforms shall establish one point of contact in each Member State and ensure that it is accessible for recipients of the service in at least one of the official languages of that Member State.***

Or. en

**Amendment 1544**

**Marcel Kolaja**

**Proposal for a regulation**

**Article 26 – title**

*Text proposed by the Commission*

*Amendment*

***Risk*** assessment

***Impact*** assessment

Or. en

**Amendment 1545**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**

**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any ***significant*** systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), ***on an ongoing basis and*** at least once a year thereafter, ***the probability and severity of*** any systemic risks stemming from the ***design, intrinsic characteristics,***

their services and shall include the following systemic risks:

functioning and use made of their services in the Union. ***The risk assessment shall be broken down per Member State in which services are offered and in the Union as a whole.*** This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

**Amendment 1546**  
**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**  
**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks, ***including where they result from a voluntary action taken by the platform on the basis of its technological, social or economic model:***

Or. fr

**Amendment 1547**  
**Petra Kammerevert, Christel Schaldemose, Evelyne Gebhardt, Sylvie Guillaume**

**Proposal for a regulation**  
**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second

subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union **and shall submit a report of that risk assessment to the national competent authority of the Member State in which their legal representative is established.** This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

**Amendment 1548**  
**Geoffroy Didier, Nathalie Colin-Oesterlé**

**Proposal for a regulation**  
**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Very large online **platforms** shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online **platform services, live streaming platform services, private messaging services and search engine services** shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

**Amendment 1549**  
**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 26 – paragraph 1 – introductory part**



*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any **significant** systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any systemic risks stemming from the **design**, functioning and use made of their services in the Union. This risk assessment shall be specific to their services and **activities, including technology design, value chain and business-model choices, and** shall include the following systemic risks:

Or. en

**Amendment 1550**

**Karen Melchior, Samira Rafaela, Hilde Vautmans, Michal Šimečka, Ivars Ijabs, Anna Júlia Donáth, Olivier Chastel, Fabienne Keller, Petras Auštrevičius, Irène Tolleret, Ramona Strugariu, Barry Andrews, Susana Solís Pérez, Katalin Cseh**

**Proposal for a regulation**

**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), **at least once a year thereafter**, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), **on an ongoing basis, the probability and severity of** any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

**Amendment 1551**

**Róza Thun und Hohenstein**

## Proposal for a regulation

### Article 26 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, **any significant** systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, **probability and severity of** systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

## Amendment 1552

**Arba Kokalari, Andrey Kovatchev, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

## Proposal for a regulation

### Article 26 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the **functioning and use made of** their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the **dissemination of illegal content on** their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

*Justification*

*To clarify limitation of obligations to illegal content.*

**Amendment 1553**  
**Marcel Kolaja**

**Proposal for a regulation**  
**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, **any significant systemic risks stemming from** the functioning and use made of their services in the Union. **This risk** assessment shall be specific to their services and shall include the following **systemic risks**:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, **the impact of** the functioning and use made of their services in the Union **on fundamental rights, including article 38 of the Charter of Fundamental Rights of the European Union and on ensuring a high level of consumer protection. This impact** assessment shall be specific to their services and shall include the following **adverse impacts**:

Or. en

**Amendment 1554**  
**Andrea Caroppo, Salvatore De Meo, Carlo Fidanza**

**Proposal for a regulation**  
**Article 26 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any **significant** systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

*Amendment*

1. Very large online platforms shall identify, analyse and assess, from the date of application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:

Or. en

#### **Amendment 1555**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior, Marco Zullo**

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

#### **Article 26 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the dissemination of illegal content through their services;

*Amendment*

(a) the dissemination of illegal content ***and content that is in breach of their terms and conditions*** through their services, ***including unsafe and non-compliant products and services, in case of online marketplaces***;

Or. en

#### **Amendment 1556**

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher**

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

#### **Article 26 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the dissemination of illegal content through their services;

*Amendment*

(a) the dissemination of illegal content ***and content that is in breach of their terms and conditions*** through their services,

Or. en

#### *Justification*

*Risks come not only from illegal content, but also content that is not allowed under the terms and conditions of the service.*

#### **Amendment 1557**

**Andrea Caroppo, Salvatore De Meo, Carlo Fidanza**

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

#### **Article 26 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the dissemination of illegal content through their services;

(a) the dissemination **and amplification** of illegal content through their services;

Or. en

**Amendment 1558**

**Marcel Kolaja**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the dissemination of illegal content through their services;

(a) the dissemination of **manifestly** illegal content through their services;

Or. en

**Amendment 1559**

**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the dissemination of illegal content through their services;

*(Does not affect the English version.)*

Or. fr

**Amendment 1560**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the funding of illegal content, including models based on advertisement;***

Or. en

**Amendment 1561**

**Andrea Caroppo, Salvatore De Meo, Carlo Fidanza**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the funding of illegal content, including models based on advertisement***

Or. en

**Amendment 1562**

**Petra Kammerevert, Christel Schaldemose, Evelyne Gebhardt**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

(b) any negative effects for the exercise of the fundamental rights to respect for ***human dignity***, private and family life, freedom of expression and information ***including the freedom and pluralism of the media, freedom of the art and science and the right to education***, the prohibition of discrimination and the rights of the child, as enshrined in Articles 1, 7, 11, 13, 14, 21 and 24 of the Charter respectively;

Or. en

### Amendment 1563

**Karen Melchior, Samira Rafaela, Hilde Vautmans, Michal Šimečka, Ivars Ijabs, Anna Júlia Donáth, Olivier Chastel, Fabienne Keller, Petras Auštrevičius, Irène Tolleret, Ramona Strugariu, Barry Andrews, Susana Solís Pérez, Dragoș Pîslaru, Katalin Cseh**

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point b

*Text proposed by the Commission*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

*Amendment*

(b) any negative effects for the exercise of ***any of the fundamental rights listed in the Charter, in particular on*** the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination, ***the right to gender equality*** and the rights of the child, as enshrined in Articles 7, 11, 21, **23** and 24 of the Charter respectively;

Or. en

### Amendment 1564

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point b

*Text proposed by the Commission*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

*Amendment*

(b) any negative effects for the exercise of ***any of the fundamental rights listed in the EU Charter on Fundamental Rights, in particular on*** the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

Or. en

## Amendment 1565

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

### Proposal for a regulation

#### Article 26 – paragraph 1 – point b

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

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

##### *Amendment*

(b) any negative effects for the exercise of ***any of the fundamental rights listed in the Charter, in particular on*** the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

Or. en

##### *Justification*

*While the articles listed here are vital, all Charter right should be respected as much as possible and balanced against each other.*

## Amendment 1566

Róża Thun und Hohenstein

### Proposal for a regulation

#### Article 26 – paragraph 1 – point b

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

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

##### *Amendment*

(b) any negative effects for the exercise of ***the fundamental rights listed in the Charter, in particular on*** the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

Or. en



### Amendment 1567

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point b

*Text proposed by the Commission*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

*Amendment*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively ***through dissemination of illegal content***;

Or. en

### Amendment 1568

Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point b

*Text proposed by the Commission*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, ***II***, 21 and 24 of the Charter respectively;

*Amendment*

(b) any negative effects for the exercise of the fundamental rights to respect for ***human dignity***, private and family life, freedom of expression and information, ***right to property***, the prohibition of discrimination and the rights of the child, as enshrined in Articles ***I, 7, II, 17***, 21 and 24 of the Charter respectively;

Or. en

### Amendment 1569

Leszek Miller, Marc Angel, Maria-Manuel Leitão-Marques

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point b

*Text proposed by the Commission*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

*Amendment*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, ***freedom and pluralism of the media***, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

Or. en

**Amendment 1570**

**Marc Angel, Christel Schaldemose, Maria Grapini, Andreas Schieder, Maria-Manuel Leitão-Marques, Evelyne Gebhardt**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

*Amendment*

(b) any negative effects for the exercise of the fundamental ***rights, in particular the*** rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;

Or. en

*Justification*

*This assessment shall not be limited to the mentioned fundamental rights, but shall cover fundamental rights in general with a specific focus on those mentioned explicitly.*

**Amendment 1571**

**Marcel Kolaja**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) any negative effects for the exercise of **the** fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in **Articles 7, 11, 21 and 24 of the Charter respectively**;

*Amendment*

(b) any negative effects for the exercise of fundamental **rights, including article 38 of the Charter of Fundamental Rights of The European Union and in particular the** rights to respect for private and family life, freedom of expression and information, **freedom of the press** the prohibition of discrimination and the rights of the child, as enshrined in the Charter;

Or. en

**Amendment 1572**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**

**Article 26 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) any **negative effects for** the exercise of **the** fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in **Articles 7, 11, 21 and 24 of the Charter respectively**;

*Amendment*

(b) any **foreseeable impact on** the exercise of fundamental **rights, in particular the** rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in the Charter;

Or. en

**Amendment 1573**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) intentional manipulation of their service, including by means of inauthentic

*Amendment*

(c) intentional manipulation of their service **and amplification of content that**

use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

*is in breach of their terms and conditions*, including by means of inauthentic use, *such as ‘deep fakes’* or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, *democratic values, media freedom and freedom of expression of journalists, as well as their ability to verify facts*, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

Or. en

#### **Amendment 1574**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

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

#### **Article 26 – paragraph 1 – point c**

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

(c) intentional manipulation of their service, ***including by means of inauthentic use*** or automated exploitation of the service, with an actual or foreseeable negative ***effect*** on the protection of public health, minors, civic discourse, or actual or foreseeable ***effects*** related to electoral processes and public security.

##### *Amendment*

(c) ***the intended use, any malfunctioning or*** intentional manipulation of their service, ***commercial communications published on the platform that are not marketed, sold or arranged by the platform*** or automated exploitation of the service, ***in particular*** with an actual or foreseeable negative ***impact*** on the protection of public health, minors ***and other categories of vulnerable groups of recipients of the service***, civic discourse, or actual or foreseeable ***impact*** related to electoral processes and public security;

Or. en

##### *Justification*

*The current proposal would only cover how third parties are manipulating the service of the VLOP, and not how the intended functioning of the algorithmic systems of the VLOP itself can lead to harm which requires risk mitigating measures. This amendment brings the article in line with the language of recital 57.*

## Amendment 1575

Marcel Kolaja

### Proposal for a regulation

#### Article 26 – paragraph 1 – point c

*Text proposed by the Commission*

(c) intentional manipulation of their service, including by means of ***inauthentic use or*** automated exploitation of the service, with an actual or foreseeable negative effect on ***the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.***

*Amendment*

(c) ***malfunctioning or*** intentional manipulation of their service, including by means of automated exploitation of the service, with an actual or foreseeable negative effect on ***fundamental rights as foreseen by the Charter of Fundamental rights of the European Union, including Article 38 on ensuring a high level of consumer protection.***

Or. en

## Amendment 1576

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher, Bart Groothuis

### Proposal for a regulation

#### Article 26 – paragraph 1 – point c

*Text proposed by the Commission*

(c) intentional manipulation of their service, including by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

*Amendment*

(c) intentional manipulation of their service ***and amplification of content that is in breach of their terms and conditions,*** including by means of inauthentic use, or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

Or. en

*Justification*

*amplification should also be taken into account as it may promote disallowed content on a site.*

**Amendment 1577**

**Arba Kokalari, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) intentional manipulation of their service, including by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, *civic discourse*, or actual or foreseeable effects related to electoral processes and public security.

*Amendment*

(c) intentional manipulation of their service, including by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative *and illegal* effect on the protection of public health, minors, or actual or foreseeable effects related to electoral processes and public security.

Or. en

**Amendment 1578**

**Evžen Tošenovský**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) intentional manipulation of their service, *including* by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

*Amendment*

(c) intentional manipulation of their service, by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

Or. en

## **Amendment 1579**

**Leszek Miller**

### **Proposal for a regulation**

#### **Article 26 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) intentional manipulation of their service, **including** by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

*Amendment*

(c) intentional manipulation of their service by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.

Or. en

## **Amendment 1580**

**Róża Thun und Hohenstein, Krzysztof Hetman**

### **Proposal for a regulation**

#### **Article 26 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) any potentially negative societal effect, in particular related to the increased polarisation of opinions and insufficient exposure to objective sources of information.***

Or. en

## **Amendment 1581**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

### **Proposal for a regulation**

#### **Article 26 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) any foreseeable negative societal***

*effect of technology design or business-model choices in relation to systemic risks that represent threats to democracy;*

Or. en

**Amendment 1582**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**

**Article 26 – paragraph 1 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

*(cb) any environmental impact such as electricity and water consumption, heat production and CO2 emissions related to the provision of the service and technical infrastructure or to consumer behaviour modification with a direct environmental impact.*

Or. en

**Amendment 1583**

**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**

**Article 26 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The Board shall approve the report.*

Or. fr

**Amendment 1584**

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior, Marco Zullo**

**Proposal for a regulation**

**Article 26 – paragraph 2**



*Text proposed by the Commission*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of information that is ***incompatible*** with their terms and conditions.

*Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how ***and whether*** their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of information that is ***in compatible*** with their terms and conditions, ***as well as potential infringement of consumer rights by business active on the platform or platform themselves.***

Or. en

**Amendment 1585**

**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**  
on behalf of the Greens/EFA Group

**Proposal for a regulation**  
**Article 26 – paragraph 2**

*Text proposed by the Commission*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of ***information*** that is incompatible with their terms and conditions.

*Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting, ***targeting*** and displaying advertisement ***as well as the underlying data collection, processing and profiling*** influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of ***content*** that is incompatible with their terms and conditions.

Or. en

**Amendment 1586**  
**Leszek Miller**

**Proposal for a regulation**  
**Article 26 – paragraph 2**

*Text proposed by the Commission*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content ***and of information that is incompatible with their terms and conditions.***

*Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content.

Or. en

**Amendment 1587**

**Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec**

**Proposal for a regulation**  
**Article 26 – paragraph 2**

*Text proposed by the Commission*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content ***and of information that is incompatible with their terms and conditions.***

*Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content.

Or. en

**Amendment 1588**  
**Evžen Tošenovský**

**Proposal for a regulation**  
**Article 26 – paragraph 2**

*Text proposed by the Commission*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content ***and of information that is incompatible with their terms and conditions.***

*Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content.

Or. en

**Amendment 1589**  
**Jean-Lin Lacapelle, Virginie Joron**

**Proposal for a regulation**  
**Article 26 – paragraph 2**

*Text proposed by the Commission*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content ***and of information that is incompatible with their terms and conditions.***

*Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content.

Or. fr

## Amendment 1590

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

### Proposal for a regulation

#### Article 26 – paragraph 2

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

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of information that is incompatible with their terms and conditions.

##### *Amendment*

2. When conducting risk assessments, very large online platforms shall take into account, in particular, how **and whether** their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of information that is incompatible with their terms and conditions.

Or. en

## Amendment 1591

Marcel Kolaja

### Proposal for a regulation

#### Article 26 – paragraph 2

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

2. When conducting **risk** assessments, very large online platforms shall take into account, in particular, **how** their content moderation systems, recommender systems and systems for selecting and displaying advertisement **influence any of the systemic risks referred to in paragraph 1**, including the potentially rapid and wide dissemination of illegal content and of information that is incompatible with their terms and conditions.

##### *Amendment*

2. When conducting **impact** assessments, very large online platforms shall take into account, in particular, **the effects of** their content moderation systems, recommender systems and systems for selecting and displaying advertisement, including the potentially rapid and wide dissemination of **manifestly** illegal content and of information that is incompatible with their terms and conditions.

Or. en

