



*Committee on Legal Affairs
The Chair*

12.12.2023

Ms Anna Cavazzini

Chair

Committee on the Internal Market and Consumer Protection

BRUSSELS

Subject: Opinion on a Proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) No 1024/2012 and (EU) 2018/1724 as regards the use of the Internal Market Information System and the Single Digital Gateway for the purposes of certain requirements laid down by the Directive of the European Parliament and of the Council on European cross-border associations (COM(2023)516 – C9-0327/2023 – (2023)0314(COD))

Dear Madam Chair,

At the meeting of 23 October 2023, the Coordinators of the Committee on Legal Affairs decided to give an opinion, in accordance with Rule 56+ of the Rules of Procedure, on the proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1024/2012 and (EU) 2018/1724 as regards the use of the Internal Market Information System and the Single Digital Gateway for the purposes of certain requirements laid down by Directive (EU) .../... of the European Parliament and of the Council on European cross-border associations. The opinion was attributed to the Greens/EFA Group and Mr Sergey Lagodinsky was nominated the Rapporteur. However, in order to respect the timetable of the IMCO Committee as well as following the rather technical, concise and uncontroversial nature of the proposal, the Coordinators decided on 29 November to change the format of the opinion under Rule 56+ into a letter while keeping the same Rapporteur.

Suggestions:

At its meeting of 11 December 2023, the Committee on Legal Affairs accordingly decided, by 18 votes in favour, 0 votes against and no abstentions¹, to call on the Committee on the

¹ The following Members were present for the final vote: Sergey Lagodinsky (Vice-Chair), Marion Walsmann (Vice-Chair), Raffaele Stancanelli (Vice-Chair), Alessandra Basso, Iban Garcia del Blanco, Ilana Cicurel, Pascal

Internal Market and Consumer Protection, as the committee responsible, to take into account the elements outlined in this opinion, when preparing their report.

The proposed regulation accompanies the proposal for a Directive on European Cross-border Association (ECBAs), and should support an efficient administrative cooperation and the exchange of information between the competent authorities of the Member States with regards to ECBA in order to contribute to the implementation and application of the proposed directive. It is therefore important for the European Parliament and the Council to look at both instruments together as part of the same package to ensure coherence and consistency.

In that regard, the Committee on Legal Affairs welcomes the Commission's proposal for regulation and the suggested changes to the Regulations on the Internal Market Information System and the Single Digital Gateway, and considers only minimal amendments are needed. Therefore, the elements to be taken into account as agreed by the Committee on Legal Affairs, are the following:

1. **Recital 2** contains a technical error in referring to Article 30 on the Committee procedure instead of Article 28 on the IMI. It should therefore be amended as follows:

(2) Pursuant to Article **30(2)** of Directive COM(2023)516, the administrative cooperation and the exchange of information between the competent authorities of the Member States is to be implemented through the Internal Market Information System ('IMI system') established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council⁵. For that reason, the necessary administrative cooperation procedures should be established in the IMI system.

(2) Pursuant to Article **28(2)** of Directive **/COM(2023)516/**, the administrative cooperation and the exchange of information between the competent authorities of the Member States is to be implemented through the Internal Market Information System ('IMI system') established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council⁵. For that reason, the necessary administrative cooperation **and exchange of information** procedures should be established in the IMI system.

2. **Article 1** of the draft regulation concerns the inclusion of the ECBAs Directive as a new point in the Annex of Regulation (EU) No 1024/2012 regarding the IMI System. By using an already existing digital system for administrative cooperation, additional legislative, administrative and financial burden is avoided and supports the functioning of the internal market for associations. The Committee therefore considers that no amendments are needed to this provision in the draft regulation.
3. **Article 2** of the draft regulation covers amendments to Regulation (EU) 2018/1724 regarding the Digital Single Gateway. It expands the use of the Digital Single Gateway in view of access to information and problem-solving services beyond citizens and businesses to legal persons other than business, to include in particular

Durand, Pierre Karleskind, Antonius Manders, Maria Manuel Leitão Marques, Karen Melchior, Sabrina Pignedoli, Jiří Pospíšil, Franco Roberti, Caroline Roose (for Marie Toussaint pursuant to Rule 209(7)), Axel Voss, Tiemo Wölken, Javier Zarzalejos.

future ECBAs. The amendments proposed by the European Commission are reflecting this expansion in a legally sound and technically correct way, including by putting forward additional areas of information to Annex I of Regulation (EU) 2018/1724 which concern the exact same areas included in that Annex for businesses. This supports the transparency of the operations of ECBAs as well as the creation of a level-playing field and more equal participation in the internal market for ECBAs compared to businesses.

The Committee therefore considers that no amendments are needed to these provisions in the draft regulation.

Yours sincerely,

Adrián Vázquez Lázara

ANNEX: ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

Entity and/or person

Allianz "Rechtssicherheit für politische Willensbildung" e.V.
Alzheimer Europe
Caritas Europa
CEDAG - European Council of Associations of General Interest
Centre Français des Fonds et Fondations
Civil Society Europe
Deutscher Caritasverband e.V.
E.A.N. - European Ageing Network
EASPD - European Association of Service Providers for Persons with Disabilities
ECNL European Center for Not-For-Profit Law Stichting
EPR - European Platform for Rehabilitation
ESU - European Students' Union
Eurodiaconia
European Alternatives
European Civic Forum
European Fundraising Association, COFACE
FEANTSA - European Federation of National Organisations Working with the Homeless
France générosités
Human Rights Cities Network
Irish Council for Civil Liberties
Le Mouvement associatif
Maecenata Stiftung
Ökotárs - Hungarian Environmental Partnership Foundation
Philea
Red Cross EU Office
Samaritan International
Social Services Europe

The list above is drawn up under the exclusive responsibility of the rapporteur.