



2023/0212(COD)

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AMENDMENTS

34 - 277

Draft opinion

Emil Radev

(PE754.988v01-00)

Establishment of the digital euro

Proposal for a regulation

(COM(2023)0369 – C9-0219/2023 – 2023/0212(COD))

Amendment 34
Patricia Chagnon

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) To address the need of a rapidly digitalising economy, the digital euro should support a variety of use cases of retail payments. Those use case include person to person, person to business, person to government, business to person, business to business, business to government, government to person, government to business, and government to government payments. In addition, the digital euro should also be able to fulfil future payments needs, and in particular machine to machine payment in the context of Industry 4.0 and payments in the decentralised internet (web3). The digital euro should not cater for payments between financial intermediaries, payment service providers and other market participants (that is to say wholesale payments), for which settlement systems in central bank money exist and where the use of different technologies is being further investigated by the Eurosystem.

Amendment

(4) To address the need of a rapidly digitalising economy, the digital euro should support a variety of use cases of retail payments ***under 50 euros***. Those use case include person to person, person to business, person to government, business to person, business to business, business to government, government to person, government to business, and government to government payments. In addition, the digital euro should also be able to fulfil future payments needs, and in particular machine to machine payment in the context of Industry 4.0 and payments in the decentralised internet (web3). The digital euro should not cater for payments between financial intermediaries, payment service providers and other market participants (that is to say wholesale payments), for which settlement systems in central bank money exist and where the use of different technologies is being further investigated by the Eurosystem.

Or. fr

Amendment 35
Cristian Terhes

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The digital euro should complement euro banknotes and coins and should not replace the physical forms of the single currency. As legal tender instruments, both cash and digital euro are

Amendment

(6) The digital euro should complement euro banknotes and coins and should not replace the physical forms of the single currency. As legal tender instruments, both cash and digital euro are

equally important. Regulation (EU) [please insert reference – proposal for a Regulation on the legal tender of euro banknotes and coins - COM/2023/364] would harmonise legal tender for cash and ensure that cash is widely distributed and effectively used.

equally important. Regulation (EU) [please insert reference – proposal for a Regulation on the legal tender of euro banknotes and coins - COM/2023/364] would harmonise legal tender for cash and ensure that cash is widely distributed and effectively used. ***Both cash and digital euro should equally be accepted across the euro area without discrimination for any form when doing offline payment.***

Or. en

Amendment 36
Ondřej Kovařík

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The digital euro should complement euro banknotes and coins and should not replace the physical forms of the single currency. As legal tender instruments, both cash and digital euro are equally important. Regulation (EU) [please insert reference – proposal for a Regulation on the legal tender of euro banknotes and coins - COM/2023/364] would harmonise legal tender for cash and ensure that cash is widely distributed and effectively used.

Amendment

(6) The digital euro should complement euro banknotes and coins and should not replace the physical forms of the single currency. ***Individuals should have the right to decide which form of euro denominated legal tender they wish to use.*** As legal tender instruments, both cash and digital euro are equally important. Regulation (EU) [please insert reference – proposal for a Regulation on the legal tender of euro banknotes and coins - COM/2023/364] would harmonise legal tender for cash and ensure that cash is widely distributed and effectively used.

Or. en

Amendment 37
Patricia Chagnon

Proposal for a regulation
Recital 6

Text proposed by the Commission

Amendment

(6) The digital euro should complement euro banknotes and coins and should not replace the physical forms of the single currency. As legal tender instruments, both cash and digital euro are equally important. Regulation (EU) [please insert reference – proposal for a Regulation on the legal tender of euro banknotes and coins - COM/2023/364] would harmonise legal tender for cash and ensure that cash is widely distributed and effectively used.

(6) The digital euro should complement euro banknotes and coins and should not replace the physical forms of the single currency. As legal tender instruments, both cash and digital euro are equally important **for payments over 50 euros**. Regulation (EU) [please insert reference – proposal for a Regulation on the legal tender of euro banknotes and coins - COM/2023/364] would harmonise legal tender for cash and ensure that cash is widely distributed and effectively used.

Or. fr

Amendment 38

Patricia Chagnon, Annika Bruna

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Future developments in digital payments may affect the role of the euro in retail payment markets both in the European Union and internationally. Many central banks around the world are currently exploring the issuance of central bank digital currencies ('CBDCs') and some countries have already issued a CBDC. In addition, so-called third country stablecoins not denominated in euro, could, if widely used for payments, displace euro denominated payments in the Union's economy by satisfying demand for programmable payments (which are referred as conditional payments in the context of this Regulation), including in e-commerce, capital markets or industry 4.0. A digital euro would therefore be important to maintain the role of the euro in the digital age.

Amendment

(7) Future developments in digital payments may affect the role of the euro in retail payment markets both in the European Union and internationally. Many central banks around the world are currently exploring the issuance of central bank digital currencies ('CBDCs') and some countries have already issued a CBDC. In addition, so-called third country stablecoins not denominated in euro, could, if widely used for payments, displace euro denominated payments in the Union's economy by satisfying demand for programmable payments (which are referred as conditional payments in the context of this Regulation), including in e-commerce, capital markets or industry 4.0. A digital euro would therefore be important to maintain the role of the euro in the digital age. **However, the digital euro is not intended to replace cash.**

Or. fr

Amendment 39
Patricia Chagnon

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) It is therefore necessary to lay down a legal framework for establishing a digital form of the euro with the status of legal tender, for use by people, businesses and public authorities in the euro area. As a new form of the euro available to the general public, the digital euro should have important societal and economic consequences. It is therefore necessary to establish the digital euro and to regulate its main characteristics, as a measure of monetary law. The European Central Bank is competent to issue and to authorise the issuance of the digital euro by national central banks of the Member States whose currency is the euro, exercising its powers under the Treaties. On the basis of those powers and in accordance with the legal framework set out in this Regulation, the European Central Bank should thus be able to decide whether to issue the digital euro, at which times and in what amounts, and other particular measures that are intrinsically connected to its issuance, in addition to banknotes and coins.

Amendment

(8) It is therefore necessary to lay down a legal framework for establishing a digital form of the euro with the status of legal tender ***under 50 euros***, for use by people, businesses and public authorities in the euro area. As a new form of the euro available to the general public, the digital euro should have important societal and economic consequences. It is therefore necessary to establish the digital euro and to regulate its main characteristics, as a measure of monetary law. The European Central Bank is competent to issue and to authorise the issuance of the digital euro by national central banks of the Member States whose currency is the euro, exercising its powers under the Treaties. On the basis of those powers and in accordance with the legal framework set out in this Regulation, the European Central Bank should thus be able to decide whether to issue the digital euro, at which times and in what amounts, and other particular measures that are intrinsically connected to its issuance, in addition to banknotes and coins.

Or. fr

Amendment 40
Patricia Chagnon, Annika Bruna

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) Member States, their relevant authorities and payment service providers should deploy information and educational

Amendment

(13) Member States, their relevant authorities and payment service providers should deploy information and educational

measures to ensure the necessary level of awareness and knowledge of the different aspects of the digital euro.

measures to ensure the necessary level of awareness and knowledge of the different aspects of the digital euro. ***No additional costs will be charged to users, whether they are clients or merchants.***

Or. fr

Amendment 41
Emil Radev

Proposal for a regulation
Recital 17 a (new)

Text proposed by the Commission

Amendment

(17 a) The digital euro, both for online and offline digital euro transactions, must always complement the physical cash and not replace it. Citizens and businesses will always have the choice of using one or another form of legal tender or their combination of them.

Or. en

Amendment 42
Domènec Ruiz Devesa

Proposal for a regulation
Recital 18

Text proposed by the Commission

Amendment

(18) Since the digital euro requires the capacity to accept digital means of payment, imposing an obligation of mandatory acceptance of payments in digital euro on all payees could be disproportionate. To this end, exceptions to the mandatory acceptance of payments in digital euro should be provided for natural persons acting in the course of a purely personal or household activity. Exceptions to mandatory acceptance should also be provided for microenterprises, which are

(18) Since the digital euro requires the capacity to accept digital means of payment, imposing an obligation of mandatory acceptance of payments in digital euro on all payees could be disproportionate. To this end, exceptions to the mandatory acceptance of payments in digital euro should be provided for natural persons acting in the course of a purely personal or household activity. Exceptions to mandatory acceptance should also be provided for microenterprises, which are

particularly important in the euro area for the development of entrepreneurship job creation and innovation, playing a vital role in shaping the economy. Union policies and actions should reduce regulatory burdens for enterprises of this size. Exceptions to mandatory acceptance should also be provided for non-profit legal entities which promote the public interest and serve the public good performing a variety of goals of societal interest, including equity, education, health, environmental protection and human rights. For microenterprises and non-profit legal entities, the acquisition of the required infrastructure and the acceptance costs would be disproportionate. They should therefore be exempted from the obligation to accept payments in digital euro. In such cases, other means for the settlement of monetary debts should remain available. Nevertheless, microenterprises and non-profit legal entities that accept comparable digital means of payment from payers should be subject to the mandatory acceptance of payments in digital euro. Comparable digital means of payment should include debit card payment or instant payment or other future technological solutions used at the point of interaction, but should exclude credit transfer and direct debit that are not initiated at the point of interaction. Microenterprises and non-profit legal entities that do not accept *comparable* digital means of payment from their payers in settlement of a debt (e.g. they only accept euro banknotes and coins), ***but may use digital payments in settlement of a debt to their payees (e.g. they pay with credit transfers)***, should not be subject to the mandatory acceptance of payments in digital euro. Finally, a payee may also refuse a payment in digital euro if the refusal is made in good faith and if the payee justifies the refusal on legitimate and temporary grounds, proportionate to concrete circumstances beyond its control, leading to an impossibility to accept payments in digital euro at the relevant

particularly important in the euro area for the development of entrepreneurship job creation and innovation, playing a vital role in shaping the economy. Union policies and actions should reduce regulatory burdens for enterprises of this size. Exceptions to mandatory acceptance should also be provided for non-profit legal entities which promote the public interest and serve the public good performing a variety of goals of societal interest, including equity, education, health, environmental protection and human rights. For microenterprises and non-profit legal entities, the acquisition of the required infrastructure and the acceptance costs would be disproportionate. They should therefore be exempted from the obligation to accept payments in digital euro. In such cases, other means for the settlement of monetary debts should remain available. Nevertheless, microenterprises and non-profit legal entities that accept comparable digital means of payment from payers should be subject to the mandatory acceptance of payments in digital euro. Comparable digital means of payment should include debit card payment or instant payment or other future technological solutions used at the point of interaction, but should exclude credit transfer and direct debit that are not initiated at the point of interaction. Microenterprises and non-profit legal entities that do not accept digital means of payment from their payers in settlement of a debt (e.g. they only accept euro banknotes and coins), should not be subject to the mandatory acceptance of payments in digital euro. Finally, a payee may also refuse a payment in digital euro if the refusal is made in good faith and if the payee justifies the refusal on legitimate and temporary grounds, proportionate to concrete circumstances beyond its control, leading to an impossibility to accept payments in digital euro at the relevant time of the transaction, such as a power outage in the case of online digital euro payment transactions, or a defective device

time of the transaction, such as a power outage in the case of online digital euro payment transactions, or a defective device in the case of offline or online digital euro payment transactions.

in the case of offline or online digital euro payment transactions.

Or. en

Amendment 43

Cristian Terheş

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Since the digital euro requires the capacity to accept digital means of payment, imposing an obligation of mandatory acceptance of payments in digital euro on all payees could be disproportionate. To this end, exceptions to the mandatory acceptance of payments in digital euro should be provided for natural persons acting in the course of a purely personal or household activity. Exceptions to mandatory acceptance should also be provided for microenterprises, which are particularly important in the euro area for the development of entrepreneurship job creation and innovation, playing a vital role in shaping the economy. Union policies and actions should reduce regulatory burdens for enterprises of this size. Exceptions to mandatory acceptance should also be provided for non-profit legal entities which promote the public interest and serve the public good performing a variety of goals of societal interest, including equity, education, health, environmental protection and human rights. For microenterprises and non-profit legal entities, the acquisition of the required infrastructure and the acceptance costs would be disproportionate. They should therefore be exempted from the obligation to accept payments in digital euro. In such cases, other means for the

Amendment

(18) Since the digital euro requires the capacity to accept digital means of payment, imposing an obligation of mandatory acceptance of payments in digital euro on all payees could be disproportionate. To this end, exceptions to the mandatory acceptance of payments in digital euro should be provided for natural persons acting in the course of a purely personal or household activity ***or for natural persons receiving salaries, pensions or government assistance.*** Exceptions to mandatory acceptance should also be provided for microenterprises, which are particularly important in the euro area for the development of entrepreneurship job creation and innovation, playing a vital role in shaping the economy. Union policies and actions should reduce regulatory burdens for enterprises of this size. Exceptions to mandatory acceptance should also be provided for non-profit legal entities which promote the public interest and serve the public good performing a variety of goals of societal interest, including equity, education, health, environmental protection and human rights. For microenterprises and non-profit legal entities, the acquisition of the required infrastructure and the acceptance costs would be disproportionate. They

settlement of monetary debts should remain available. Nevertheless, microenterprises and non-profit legal entities that accept comparable digital means of payment from payers should be subject to the mandatory acceptance of payments in digital euro. Comparable digital means of payment should include debit card payment or instant payment or other future technological solutions used at the point of interaction, but should exclude credit transfer and direct debit that are not initiated at the point of interaction. Microenterprises and non-profit legal entities that do not accept comparable digital means of payment from their payers in settlement of a debt (e.g. they only accept euro banknotes and coins), but may use digital payments in settlement of a debt to their payees (e.g. they pay with credit transfers), should not be subject to the mandatory acceptance of payments in digital euro. Finally, a payee may also refuse a payment in digital euro if the refusal is made in good faith and if the payee justifies the refusal on legitimate and temporary grounds, proportionate to concrete circumstances beyond its control, leading to an impossibility to accept payments in digital euro at the relevant time of the transaction, such as a power outage in the case of online digital euro payment transactions, or a defective device in the case of offline or online digital euro payment transactions.

should therefore be exempted from the obligation to accept payments in digital euro. In such cases, other means for the settlement of monetary debts should remain available. Nevertheless, microenterprises and non-profit legal entities that accept comparable digital means of payment from payers should be subject to the mandatory acceptance of payments in digital euro. Comparable digital means of payment should include debit card payment or instant payment or other future technological solutions used at the point of interaction, but should exclude credit transfer and direct debit that are not initiated at the point of interaction. Microenterprises and non-profit legal entities that do not accept comparable digital means of payment from their payers in settlement of a debt (e.g. they only accept euro banknotes and coins), but may use digital payments in settlement of a debt to their payees (e.g. they pay with credit transfers), should not be subject to the mandatory acceptance of payments in digital euro. Finally, a payee may also refuse a payment in digital euro if the refusal is made in good faith and if the payee justifies the refusal on legitimate and temporary grounds, proportionate to concrete circumstances beyond its control, leading to an impossibility to accept payments in digital euro at the relevant time of the transaction, such as a power outage in the case of online digital euro payment transactions, or a defective device in the case of offline or online digital euro payment transactions.

Or. en

Amendment 44
Domènec Ruiz Devesa

Proposal for a regulation
Recital 19

(19) In order to ensure that additional exceptions to the mandatory acceptance of the digital euro may be introduced at a later stage if they are required, for example due to technical specificities that may appear in the future, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the introduction of additional exceptions of a monetary law nature to the obligation to accept digital euro payment transactions, which would apply in a harmonised way across the euro area, taking into account any proposals from Member States to this end. The Commission may only adopt such exceptions if they are necessary, justified on grounds of general interest, proportionate, **and** preserve the effectiveness of the legal tender status of the digital euro. The power of the Commission to adopt delegated acts for the introduction of additional exceptions to the obligation to accept digital euro payment transactions should be without prejudice to the possibility for Member States, pursuant to their own powers in areas of shared competence, to adopt national legislation introducing exceptions to the mandatory acceptance deriving from the legal tender status in accordance with the conditions laid down by the Court of Justice of the European Union in its judgment in Joined Cases C-422/19 and C-423/19.

(19) In order to ensure that additional exceptions to the mandatory acceptance of the digital euro may be introduced at a later stage if they are required, for example due to technical specificities that may appear in the future, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the introduction of additional exceptions of a monetary law nature to the obligation to accept digital euro payment transactions, which would apply in a harmonised way across the euro area, taking into account any proposals from Member States to this end. The Commission may only adopt such exceptions if they are necessary, justified on grounds of general interest, proportionate, preserve the effectiveness of the legal tender status of the digital euro **and if other public means of payment are available**. The power of the Commission to adopt delegated acts for the introduction of additional exceptions to the obligation to accept digital euro payment transactions should be without prejudice to the possibility for Member States, pursuant to their own powers in areas of shared competence, to adopt national legislation introducing exceptions to the mandatory acceptance deriving from the legal tender status in accordance with the conditions laid down by the Court of Justice of the European Union in its judgment in Joined Cases C-422/19 and C-423/19.

Or. en

Amendment 45
Cristian Terheş

Proposal for a regulation
Recital 19

(19) In order to ensure that additional exceptions to the mandatory acceptance of the digital euro may be introduced at a later stage if they are required, for example due to technical specificities that may appear in the future, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the introduction of additional exceptions of a monetary law nature to the obligation to accept digital euro payment transactions, which would apply in a harmonised way across the euro area, taking into account any proposals from Member States to this end. The Commission may only adopt such exceptions if they are necessary, justified on grounds of general interest, proportionate, and preserve the effectiveness of the legal tender status of the digital euro. The power of the Commission to adopt delegated acts for the introduction of additional exceptions to the obligation to accept digital euro payment transactions should be without prejudice to the possibility for Member States, pursuant to their own powers in areas of shared competence, to adopt national legislation introducing exceptions to the mandatory acceptance deriving from the legal tender status in accordance with the conditions laid down by the Court of Justice of the European Union in its judgment in Joined Cases C-422/19 and C-423/19.

(19) In order to ensure that additional exceptions to the mandatory acceptance of the digital euro may be introduced at a later stage if they are required, for example due to technical specificities that may appear in the future, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the introduction of additional exceptions of a monetary law nature to the obligation to accept digital euro payment transactions, which would apply in a harmonised way across the euro area, taking into account any proposals from ***the Parliament and the*** Member States to this end. The Commission may only adopt such exceptions if they are necessary, justified on grounds of general interest, proportionate, and preserve the effectiveness of the legal tender status of the digital euro. The power of the Commission to adopt delegated acts for the introduction of additional exceptions to the obligation to accept digital euro payment transactions should be without prejudice to the possibility for Member States, pursuant to their own powers in areas of shared competence, to adopt national legislation introducing exceptions to the mandatory acceptance deriving from the legal tender status in accordance with the conditions laid down by the Court of Justice of the European Union in its judgment in Joined Cases C-422/19 and C-423/19.

Or. en

Amendment 46 **Cristian Terheş**

Proposal for a regulation **Recital 32**

(32) An unrestricted use of digital euro as a store of value could endanger financial stability in the euro area, with adverse effects on credit provision to the economy by credit institutions. This may require that the European Central Bank, with a view to ensuring the stability of the financial system, and in line with the principle of proportionality, introduce limits on the digital euro's use as a store of value. The policy tools that could be used for this purpose include, but would not be restricted to, quantitative limits to individual digital euro holdings and limits to conversion of other categories of funds to digital euro in a specified timeframe. When deciding on the parameters and use of the instruments referred to in paragraph 1, the European Central Bank should respect the principle of an open market economy with free competition, in accordance with Article 127(1) TFEU.

(32) An unrestricted use of digital euro as a store of value could endanger financial stability in the euro area, with adverse effects on credit provision to the economy by credit institutions. This may require that the European Central Bank, with a view to ensuring the stability of the financial system, and in line with the principle of proportionality, introduce limits on the digital euro's use as a store of value. The policy tools that could be used for this purpose include, but would not be restricted to, quantitative limits to individual digital euro holdings and limits to conversion of other categories of funds to digital euro in a specified timeframe. When deciding on the parameters and use of the instruments referred to in paragraph 1, the European Central Bank should respect the principle of an open market economy with free competition, in accordance with Article 127(1) TFEU. ***The conversion of digital euro to other categories of funds or to cash should always be unrestricted.***

Or. en

Amendment 47
Cristian Terheş

Proposal for a regulation
Recital 34 a (new)

Text proposed by the Commission

Amendment

(34 a) It is fundamental that the creation of the Digital Euro does not give ground for means to track or control on how this type of currency is spent in comparison to cash;

Or. en

Amendment 48
Patricia Chagnon, Annika Bruna

Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) The European Central Bank or the Eurosystem do not charge payment service providers for the costs it bears to support their provision of digital euro services to digital euro users.

Amendment

(41) The European Central Bank or the Eurosystem do not charge payment service providers for the costs it bears to support their provision of digital euro services to digital euro users. ***Similarly, payment service providers should not charge users for the costs they bear to support the use of digital euro services.***

Or. fr

Amendment 49
Emil Radev

Proposal for a regulation
Recital 48

Text proposed by the Commission

(48) The provision of digital euro payment services to digital euro users residing or established in a Member State whose currency is not the euro should ***be subject to*** a prior arrangement between the European Central Bank and the national central bank of the Member State whose currency is not the euro, following a request from the Member State whose currency is not the euro. In line with the Agreement on the European Economic Area, digital euro users residing or established in non-euro area Member States may be provided digital euro payment services by payment service providers established in the European Economic Area.

Amendment

(48) ***The primary deployment of the digital euro in the euro area should not lead to discrimination of citizens and businesses in Member States whose currency is not the euro or otherwise inadvertently create double standards in the single market. Prospective digital euro users in such Member States should get the possibility to voluntarily take up the digital euro where possible.*** The provision of digital euro payment services to digital euro users residing or established in a Member State whose currency is not the euro should ***become possible under*** a prior arrangement between the European Central Bank and the national central bank of the Member State whose currency is not the euro, following a request from the Member State whose currency is not the euro. ***Such arrangement should ensure that natural and legal persons who become digital euro users in the Member State whose currency is not the euro receive the same***

conditions and opportunities for the use of the digital euro as digital euro users in Member States whose currency is the euro, particularly when it comes to holding limits, the extent of basic services, free of charge, etc. In line with the Agreement on the European Economic Area, digital euro users residing or established in non-euro area Member States may be provided digital euro payment services by payment service providers established in the European Economic Area.

Or. en

Amendment 50
Ondřej Kovařík

Proposal for a regulation
Recital 53

Text proposed by the Commission

(53) Agreements and arrangements related to the provision of digital euro payment services or cross-currency payments involving the digital euro should be concluded on a voluntary basis, in priority with non-euro area Member States. The European Central Bank should cooperate with national central banks of Member States whose currency is not the euro for the purpose of cross-currency payments involving the digital euro.

Amendment

(53) Agreements and arrangements related to the provision of digital euro payment services or cross-currency payments involving the digital euro should be concluded on a voluntary basis, in priority with non-euro area Member States. The European Central Bank should cooperate with national central banks of Member States whose currency is not the euro for the purpose of cross-currency payments involving the digital euro. ***In no case should any natural or legal EU person face discrimination in accessing digital euro.***

Or. en

Amendment 51
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 56

Text proposed by the Commission

(56) To facilitate the use of digital euro and the provision of innovative services, the Eurosystem should support the provision of conditional digital euro payment transactions. First, some types of conditional payment services could be supported through detailed measures, rules and standards that could help payment service providers to develop and operate interoperable applications that execute conditional logic. ***That could include a set of technical tools such as application programming interfaces.*** Second, the Eurosystem could provide additional functionalities in the digital euro settlement infrastructure, necessary for the provision of conditional payment services to digital euro users. That could facilitate the reservation of funds in the settlement infrastructure for future execution of some conditional payments. Payment service providers should adapt the business logic for conditional digital euro payment transactions in accordance with the standards and application programming interfaces which the Eurosystem may adopt to facilitate such transactions.

Amendment

(56) To facilitate the use of digital euro and the provision of innovative services, the Eurosystem should support the provision of conditional digital euro payment transactions. First, some types of conditional payment services could be supported through detailed measures, rules and standards that could help payment service providers to develop and operate interoperable applications that execute conditional logic. Second, the Eurosystem could provide additional functionalities in the digital euro settlement infrastructure, necessary for the provision of conditional payment services to digital euro users. That could facilitate the reservation of funds in the settlement infrastructure for future execution of some conditional payments. Payment service providers should adapt the business logic for conditional digital euro payment transactions in accordance with the standards and application programming interfaces which the Eurosystem may adopt to facilitate such transactions.

Or. en

Justification

too vague

Amendment 52 Cristian Terheş

Proposal for a regulation Recital 57

Text proposed by the Commission

(57) ***European Digital Identity Wallets could facilitate digital transactions by***

Amendment

deleted

enabling authentication, identification and the exchange of attributes including licenses and certificates. European Digital Identity Wallets should contribute to the effective universal access to and use of the digital euro. Member States should issue European Digital Identity Wallets based on common standards and practices set out in the implementing legislation. The European Digital Identity Wallet should have strong and specific safeguards to ensure data protection and privacy and high-level security certification. Front-end solutions to be developed by the European Central Bank should therefore duly consider the technical specifications governing the European Digital Identity Wallets. This would enable the relevant interoperability with the European Digital Identity Wallets that would allow to capitalise on these benefits. Based on user choice, interoperability with the European Digital Identity Wallet should also allow to discharge customer due diligence under Regulation (EU) [please insert reference – proposal for a Regulation for Anti-Money Laundering Regulation – COM/2021/421 final). Furthermore, to achieve a coherent customer experience, intermediaries might choose to fully integrate their digital euro front-end services into the specifications governing the European Digital Identity Wallets.

Or. en

Justification

The discussion during the shadow meetings on the Digital Identity Wallets was that this system will not be used for Digital Euro

Amendment 53
Ondřej Kovařík

Proposal for a regulation
Recital 57

(57) European Digital Identity Wallets could facilitate digital transactions by enabling authentication, identification and the exchange of attributes including licenses and certificates. European Digital Identity Wallets should contribute to the effective universal access to and use of the digital euro. Member States should issue European Digital Identity Wallets based on common standards and practices set out in the implementing legislation. The European Digital Identity Wallet should have strong and specific safeguards to ensure data protection and privacy and high-level security certification. Front-end solutions to be developed by the European Central Bank should therefore duly consider the technical specifications governing the European Digital Identity Wallets. This would enable the relevant interoperability with the European Digital Identity Wallets that would allow to capitalise on these benefits. Based on user choice, interoperability with the European Digital Identity Wallet should also allow to discharge customer due diligence under Regulation (EU) [please insert reference – proposal for a Regulation for Anti-Money Laundering Regulation – COM/2021/421 final). Furthermore, to achieve a coherent customer experience, intermediaries might choose to fully integrate their digital euro front-end services into the specifications governing the European Digital Identity Wallets.

(57) European Digital Identity Wallets could facilitate digital transactions by enabling authentication, identification and the exchange of attributes including licenses and certificates. European Digital Identity Wallets should contribute to the effective universal access to and use of the digital euro. Member States should issue European Digital Identity Wallets based on common standards and practices set out in the implementing legislation. The European Digital Identity Wallet should have strong and specific safeguards to ensure data protection and privacy and high-level security certification ***as defined in the article 4(5) of the Regulation (EU) 2016/679***. Front-end solutions to be developed by the European Central Bank should therefore duly consider the technical specifications governing the European Digital Identity Wallets. This would enable the relevant interoperability with the European Digital Identity Wallets that would allow to capitalise on these benefits. Based on user choice, interoperability with the European Digital Identity Wallet should also allow to discharge customer due diligence under Regulation (EU) [please insert reference – proposal for a Regulation for Anti-Money Laundering Regulation – COM/2021/421 final). Furthermore, to achieve a coherent customer experience, intermediaries might choose to fully integrate their digital euro front-end services into the specifications governing the European Digital Identity Wallets.

Or. en

Amendment 54
Cristian Terheş

Proposal for a regulation
Recital 58

(58) *Users should be able, if they so wish, to onboard and authorise payments with the digital euro by using the European Digital Identity Wallets. Payment service providers should therefore be obliged to accept the European Digital Identity Wallets for the verification of both prospective and existing customers' identities, in line with Regulation (EU) [please insert reference – proposal for a Regulation for Anti-Money Laundering Regulation – COM/2021/421 final). To facilitate the opening of digital euro accounts across the Union, payment service providers should also be able to rely on qualified attestations provided by the European Digital Identity Wallets, including for the remote performance of customer due diligence. Payment service providers should also accept the use of European Digital Identity Wallets if the payer wishes to use the wallet for payment authorisation of digital euro payment transactions. Further, to facilitate offline proximity payments in digital euro, it should be possible to use the European Digital Identity Wallets for the storage of digital euros in the payment device.* **deleted**

Or. en

Justification

The discussion during the shadow meetings on the Digital Identity Wallets was that this system will not be used for Digital Euro

Amendment 55

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 59

(59) To facilitate a harmonised user

(59) To facilitate a harmonised user

experience, the digital euro rules, standards and processes that the European Central Bank may adopt pursuant to its own competences, should ensure that any digital euro user is able to carry out digital euro payment transactions with any other digital euro users across the euro area regardless of the payment service providers involved and the front-end services used. To reduce the fragmentation of the European retail payments market, and to support competition, efficiency and innovation in that market, and the development of payment instruments across the Union in keeping with the objective of the Commission's retail payment strategy, the digital euro should be, to the extent possible, compatible with private digital payment solutions, building on functional and technical synergies. In particular, the European Central Bank should seek to ensure that the digital euro is compatible with private digital payment solutions at the point of interaction, and in person-to-person payments, where the fragmentation of the Union retail payments market is currently significant. The use of open standards, common rules and processes, and possibly shared infrastructures could support such compatibility. While existing solutions may be leveraged where such solutions are deemed appropriate to ensure that compatibility, notably in view of minimising overall adaptation costs, such existing solutions should not create undue dependencies that could prevent adaptation of the digital euro to new technologies or would be incompatible with the digital euro features. In order to achieve these objectives, and without conferring any enforceable rights upon market operators, the European Central Bank should seek to ensure that the digital euro is compatible with private digital payment solutions on a best-effort basis and where deemed appropriate.

experience, the digital euro rules, standards and processes that the European Central Bank may adopt pursuant to its own competences, should ensure that any digital euro user is able to carry out digital euro payment transactions with any other digital euro users across the euro area regardless of the payment service providers involved and the front-end services used. To reduce the fragmentation of the European retail payments market, and to support competition, efficiency and innovation in that market, and the development of payment instruments across the Union in keeping with the objective of the Commission's retail payment strategy, the digital euro should be, to the extent possible, compatible with private digital payment solutions, building on functional and technical synergies. In particular, the European Central Bank should seek to ensure that the digital euro is compatible with private digital payment solutions at the point of interaction, and in person-to-person payments, where the fragmentation of the Union retail payments market is currently significant. The use of open standards, common rules and processes, and possibly shared infrastructures could support such compatibility. ***Specifically, the ECB should give preference to the use of open standards where such standards are available.*** While existing solutions may be leveraged where such solutions are deemed appropriate to ensure that compatibility, notably in view of minimising overall adaptation costs, such existing solutions should not create undue dependencies that could prevent adaptation of the digital euro to new technologies or would be incompatible with the digital euro features. In order to achieve these objectives, and without conferring any enforceable rights upon market operators, the European Central Bank should seek to ensure that the digital euro is compatible with private digital payment solutions on a best-effort basis and where deemed appropriate.

*Justification**Reflecting change in Art. 26***Amendment 56****Patrick Breyer**

on behalf of the Verts/ALE Group

Proposal for a regulation**Recital 60***Text proposed by the Commission*

(60) To facilitate dispute resolution, the European Central Bank should provide payment service providers and digital euro users with technical and functional support for dispute resolution, related at least to technical **and** fraud (pre) disputes. Technical disputes include inter alia situations where the transaction amount differs, where there are duplicates, or where there is no authorization or pre-validation. Fraud disputes include inter alia situations of identity theft, merchant identity fraud, counterfeit goods.

Amendment

(60) To facilitate dispute resolution, the European Central Bank should provide payment service providers and digital euro users with technical and functional support for dispute resolution, related at least to technical, fraud **and commercial** (pre) disputes. Technical disputes include inter alia situations where the transaction amount differs, where there are duplicates, or where there is no authorization or pre-validation. Fraud disputes include inter alia situations of identity theft, merchant identity fraud, counterfeit goods. ***Commercial disputes include late or no delivery of goods and services or a lack of quality of the goods and services delivered and disputes arising during cancellation or withdrawal processes.***

Or. en

Amendment 57**Cristian Terheş****Proposal for a regulation****Recital 61***Text proposed by the Commission*

(61) To access and use the digital euro as part of digital euro payment services, digital euro users should be provided with

Amendment

(61) To access and use the digital euro as part of digital euro payment services, digital euro users should be provided with

front-end services. Those users should have the possibility to access and use digital euro payment services via the front-end services provided by payment service providers and by the European Central Bank. Payment service providers should be able to choose to rely on front-end services provided by other stakeholders, including the European Central Bank, notably in the case where the cost of developing and operating front-end services, including applications, are disproportionate. Where digital euro users can choose between different front-end services, the decision to select a given front-end service should ultimately rest in the hands of those users and should not be imposed by payment service providers or the European Central Bank. In this respect, payment service providers should have capacity to provide digital euro users with the possibility to access and use digital euro payment services via the front-end services provided by the European Central Bank. The European Central Bank and the payment service providers ***shall*** implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ***ensure*** that the identity of individual digital euro users cannot be accessed by the ECB ***via its front-end solution***.

front-end services. Those users should have the possibility to access and use digital euro payment services via the front-end services provided by payment service providers and by the European Central Bank. Payment service providers should be able to choose to rely on front-end services provided by other stakeholders, including the European Central Bank, notably in the case where the cost of developing and operating front-end services, including applications, are disproportionate. Where digital euro users can choose between different front-end services, the decision to select a given front-end service should ultimately rest in the hands of those users and should not be imposed by payment service providers or the European Central Bank. In this respect, payment service providers should have capacity to provide digital euro users with the possibility to access and use digital euro payment services via the front-end services provided by the European Central Bank. The European Central Bank and the payment service providers ***should*** implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ***make technologically impossible*** that the identity of individual digital euro users cannot be accessed by the ECB ***by any means***.

Or. en

Amendment 58 Cristian Terheş

Proposal for a regulation Recital 62

Text proposed by the Commission

(62) To avoid interfering in the payment service providers' customer relationships and their role in the digital euro distribution, the front-end solutions provided by the European Central bank

Amendment

(62) To avoid interfering in the payment service providers' customer relationships and their role in the digital euro distribution, the front-end solutions provided by the European Central bank

should be limited to providing an interface between digital euro users and the payment infrastructures of payment service providers. In particular, the Eurosystem would not have a contractual relationship with digital euro users even if those users use the front-end services provided by the European Central Bank. The ECB and the payment service providers should implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to **ensure** that the identity of individual digital euro users cannot be accessed by the ECB **via its front-end solution**.

should be limited to providing an interface between digital euro users and the payment infrastructures of payment service providers. In particular, the Eurosystem would not have a contractual relationship with digital euro users even if those users use the front-end services provided by the European Central Bank. The ECB and the payment service providers should implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to **make technologically impossible** that the identity of individual digital euro users cannot be accessed by the ECB **by any means**.

Or. en

Amendment 59

Emil Radev

Proposal for a regulation

Recital 64

Text proposed by the Commission

(64) To provide for instantaneous settlement, both online and offline digital euro transactions, including in the context of funding and defunding, and as waterfall and reverse waterfall functionalities, should be settled instantaneously, in a few seconds only, in normal circumstances. The settlement of online digital euro payment transactions should be performed in the digital euro settlement infrastructure adopted by the Eurosystem. Online digital euro payment transactions should be settled in a matter of seconds as specified under the functional and technical requirements adopted by the European Central Bank. Final settlement of online digital euro payment transactions should be achieved at the moment of recording the digital euros concerned of the payer and the payee in the digital euro settlement infrastructure approved by the European Central Bank,

Amendment

(64) To provide for instantaneous settlement, both online and offline digital euro transactions, including in the context of funding and defunding, and as waterfall and reverse waterfall functionalities, should be settled instantaneously, in a few seconds only, in normal circumstances. The settlement of online digital euro payment transactions should be performed in the digital euro settlement infrastructure adopted by the Eurosystem. Online digital euro payment transactions should be settled in a matter of seconds as specified under the functional and technical requirements adopted by the European Central Bank. Final settlement of online digital euro payment transactions should be achieved at the moment of recording the digital euros concerned of the payer and the payee in the digital euro settlement infrastructure approved by the European Central Bank,

irrespective of whether digital euros are recorded as holding balances or units of value, or of the technology used. The digital euro settlement infrastructure should seek to ensure adaptation to new technologies, including distributed ledger technology.

irrespective of whether digital euros are recorded as holding balances or units of value, or of the technology used. The digital euro settlement infrastructure should seek to ensure adaptation to new technologies, including distributed ledger technology. ***Given the sensitivity of data to be stored in the settlement infrastructure, the principles of data protection by design and by default as defined in Regulation 2016/679 should be duly reflected in its development, along with the implementation of appropriate safeguards in this regard.***

Or. en

Amendment 60

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 67

Text proposed by the Commission

(67) For reasons of contractual freedom and to ensure competition, digital euro users should have the possibility to switch their digital euro payment accounts to different payment service providers. At the request of the digital euro users, payment service providers should then enable the switching of the digital euro payment accounts, while maintaining the same account identifiers. In exceptional circumstances where a payment service provider is unable to perform this task, including due to having lost the relevant digital euro payment account-related data, the European Central Bank should be able to authorise the switching of digital euro payment accounts so that the new payment service provider designated by the digital euro user can retrieve the information about the digital euro holdings of the digital euro user and complete the switching without relying on the

Amendment

(67) For reasons of contractual freedom and to ensure competition, digital euro users should have the possibility to switch their digital euro payment accounts to different payment service providers ***free of charge***. At the request of the digital euro users, payment service providers should then enable the switching of the digital euro payment accounts, while maintaining the same account identifiers. In exceptional circumstances where a payment service provider is unable to perform this task, including due to having lost the relevant digital euro payment account-related data, the European Central Bank should be able to authorise the switching of digital euro payment accounts so that the new payment service provider designated by the digital euro user can retrieve the information about the digital euro holdings of the digital euro user and complete the switching without relying on the

unavailable payment service provider. This process should allow a digital euro user to then continue accessing its digital euro holdings via the new designated payment service provider. The European Central Bank would not have any operational role in the switching on account both in both going concern situations and exceptional circumstances.

unavailable payment service provider. This process should allow a digital euro user to then continue accessing its digital euro holdings via the new designated payment service provider. The European Central Bank would not have any operational role in the switching on account both in both going concern situations and exceptional circumstances.

Or. en

Justification

Alignment with Art. 31

Amendment 61 **Cristian Terheş**

Proposal for a regulation **Recital 68**

Text proposed by the Commission

(68) The prevention of fraud by payment service providers is essential for the protection of citizens making use of the digital euro, the integrity of the personal data processed in digital euro payments, and to ensure the smooth and efficient functioning of the digital euro. Fraud prevention plays an essential role in maintaining trust in the single currency. For this purpose, the European Central Bank may establish a general fraud detection and prevention mechanism to support fraud management activities performed by payment service providers on online digital euro payment transactions. A general fraud detection and prevention mechanism delivers a range of essential functions to detect fraud patterns that a single payment service provider could not detect on its own. Often one payment service provider does not have the full picture about all elements that could lead to timely fraud detection. However, it can be made more effective with information on

Amendment

(68) The prevention of fraud by payment service providers is essential for the protection of citizens making use of the digital euro, the integrity of the personal data processed in digital euro payments, and to ensure the smooth and efficient functioning of the digital euro. Fraud prevention plays an essential role in maintaining trust in the single currency. For this purpose, the European Central Bank may establish a general fraud detection and prevention mechanism to support fraud management activities performed by payment service providers on online digital euro payment transactions. A general fraud detection and prevention mechanism delivers a range of essential functions to detect fraud patterns that a single payment service provider could not detect on its own. Often one payment service provider does not have the full picture about all elements that could lead to timely fraud detection. However, it can be made more effective with information on

potentially fraudulent activity stemming from other payment service providers. This general fraud detection function exists in comparable payment schemes and is necessary to achieve demonstrably low fraud rates in order to keep the digital euro secure for both consumers and merchants. The transfer of information between PSPs and the fraud detection and prevention mechanism should be subject to state-of-the-art security and privacy-preserving measures to ensure that individual digital euro users are not identified by the central fraud detection and prevention mechanism.

potentially fraudulent activity stemming from other payment service providers. This general fraud detection function exists in comparable payment schemes and is necessary to achieve demonstrably low fraud rates in order to keep the digital euro secure for both consumers and merchants. The transfer of information between PSPs and the fraud detection and prevention mechanism should be subject to state-of-the-art security and privacy-preserving measures to ensure ***technologically*** that individual digital euro users are not identified by the central fraud detection and prevention mechanism. ***This mechanism shall only be considered for implementation if there are empirical grounds to support a collective and general approach, but always ensuring the least intrusive method.***

Or. en

Amendment 62 **Cristian Terheş**

Proposal for a regulation **Recital 69**

Text proposed by the Commission

(69) To process digital euro payments online or offline, it is essential that front end service providers for the digital euro and issuers of European Digital Identity Wallets obtain access to near field communication technology (NFC) on mobile devices. These components include, in particular but not exclusively, NFC antennas and the so-called secure elements of mobile devices (e.g.: Universal Integrated Circuit Card (UICC), embedded SE (eSE), and microSD etc). It is therefore necessary to ensure that whenever needed to provide digital euro services, original equipment manufacturers of mobile devices or providers of electronic communication

Amendment

deleted

services would not refuse access to NFC antennas and secure elements. Central bank money with legal tender should be widely accessible. To ensure this also in the digital economy, providers of front-end services for the digital euro and operators of European Digital Identity Wallets shall be entitled to store software on relevant mobile devices' hardware in order to make transactions with digital euro technically possible both online and offline. For this purpose, original equipment manufacturers of mobile devices and providers of electronic communication services should be obliged to provide access on fair, reasonable and non-discriminatory terms to all hardware and software components when needed for online and offline digital euro transactions. In all instances, such operators would be obliged to provide adequate capacity on relevant hardware and software features in mobile devices to process online digital euro payment transactions and for storing digital euros on mobile devices for offline digital euro payment transactions. This obligation should be without prejudice to Article 6 paragraph (7) of Regulation (EU) 2022/1925, which obliges gatekeepers to provide, free of charge, effective interoperability with, and access for the purposes of interoperability to, the operating system, hardware or software features of mobile devices, which is applicable to existing and new digital means of payments, including the digital euro.

Or. en

Justification

The discussion during the shadow meetings on the Digital Identity Wallets was that this system will not be used for Digital Euro

Amendment 63
Cristian Terheş

Proposal for a regulation

Recital 70

Text proposed by the Commission

(70) The rights to privacy and personal data protection are fundamental rights enshrined in Article 7 and 8 of the Charter of Fundamental Rights of the European Union. As stressed by the European Data Protection Board³⁴, a high standard of privacy and data protection is crucial to ensure the trust of Europeans in the future digital euro. This is also in line with the G7 Public Policy Principles for Retail Central Bank Digital Currencies. The processing of personal data for compliance and in the context of this Regulation would be carried out in accordance with Regulation (EU) 2016/679³⁵ and Regulation (EU) 2018/1715³⁶, as well as, where applicable, Directive 2002/58/EC³⁷.

³⁴ Statement on the design choices for a digital euro from the privacy and data protection perspective adopted on 10 October 2022.

³⁵ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

³⁶ Regulation (EU) 2018/1725 of the

Amendment

(70) The rights to privacy and personal data protection are fundamental rights enshrined in Article 7 and 8 of the Charter of Fundamental Rights of the European Union. As stressed by the European Data Protection Board³⁴, a high standard of privacy and data protection is crucial to ensure the trust of Europeans in the future digital euro. This is also in line with the G7 Public Policy Principles for Retail Central Bank Digital Currencies. The processing of personal data for compliance and in the context of this Regulation would be carried out in accordance with Regulation (EU) 2016/679³⁵ and Regulation (EU) 2018/1715³⁶, as well as, where applicable, Directive 2002/58/EC³⁷. ***While the ECB is fully independent to carry out its competences, such independence cannot compromise these rights. Therefore, when having an option in the concrete design choices for the digital euro operation, particularly its offline part, the most privacy and personal data protection option shall be selected, regardless if that carries an extraordinary burden on other lawful objectives to be pursued by it and the national central banks***

³⁴ Statement on the design choices for a digital euro from the privacy and data protection perspective adopted on 10 October 2022.

³⁵ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

³⁶ Regulation (EU) 2018/1725 of the

European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.

³⁷ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector, OJ L 201, 31.07.2002, p. 37.

European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.

³⁷ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector, OJ L 201, 31.07.2002, p. 37.

Or. en

Amendment 64 **Domènec Ruiz Devesa**

Proposal for a regulation **Recital 71**

Text proposed by the Commission

(71) The digital euro should therefore be designed so as to minimise the processing of personal data by payment service providers and by the European Central Bank to what is necessary to ensure the proper functioning of the digital euro. The digital euro should be available offline, with a level of privacy vis a vis payment service providers which is comparable to withdrawals of banknotes at automatic teller machines. The settlement of digital euro transactions should be designed in such a way that neither the European Central Bank nor national central banks can attribute data to an identified or identifiable digital euro user.

Amendment

(71) The digital euro should therefore be designed so as to minimise the processing of personal data by payment service providers and by the European Central Bank to what is necessary to ensure the proper functioning of the digital euro ***as referred to under Article 5, paragraph 1, point c of the GDPR***. The digital euro should be available offline, with a level of privacy vis a vis payment service providers which is comparable to withdrawals of banknotes at automatic teller machines. The settlement of digital euro transactions should be designed in such a way that neither the European Central Bank nor national central banks can attribute data to an identified or identifiable digital euro user.

Or. en

Amendment 65
Domènec Ruiz Devesa

Proposal for a regulation
Recital 73

Text proposed by the Commission

(73) Payment service providers should be able to process personal data ***in so far as*** it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In line with Article 6(1)(c) of Regulation (EU) 2016/679, processing activities should be considered lawful as regards the digital euro if and to the extent that they are necessary for compliance with a legal obligation to which the controller is subject pursuant to this Regulation. In the framework of this regulation, the processing of personal data for the purposes of the enforcement of holding limits, the initiation of the funding and de-funding of a user's holdings, and the management of local storage devices for offline digital euro payments are tasks in the public interest that are essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. Payment service providers will be the controller of personal data as regards these tasks. In addition, payment service providers may process personal data to comply with existing tasks in the public interest or for compliance with a legal obligation established in Union law that apply to funds defined in Directive (EU) 2015/2366. These tasks apply to the provision of payment services and the prevention and detection of fraud in accordance with Directive (EU) 2015/2366, combatting money laundering and terrorist financing in accordance with Directive (EU) 2015/849, the fulfilment of obligations related to taxation and tax avoidance, and the management of operational and security risks in line with

Amendment

(73) Payment service providers should be able to process personal data ***only if they are performing a task in the public interest on the basis of a legal obligation (Article 6(1)(c) GDPR)*** it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In line with Article 6(1)(c) of Regulation (EU) 2016/679, processing activities should be considered lawful as regards the digital euro if and to the extent that they are necessary for compliance with a legal obligation to which the controller is subject pursuant to this Regulation. In the framework of this regulation, the processing of personal data for the purposes of the enforcement of holding limits, the initiation of the funding and de-funding of a user's holdings, and the management of local storage devices for offline digital euro payments are tasks in the public interest that are essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. Payment service providers will be the controller of personal data as regards these tasks. In addition, payment service providers may process personal data to comply with existing tasks in the public interest or for compliance with a legal obligation established in Union law that apply to funds defined in Directive (EU) 2015/2366. These tasks apply to the provision of payment services and the prevention and detection of fraud in accordance with Directive (EU) 2015/2366, combatting money laundering and terrorist financing in accordance with Directive (EU) 2015/849, the fulfilment of

obligations related to taxation and tax avoidance, and the management of operational and security risks in line with Regulation (EU) 2022/255. ***No further processing of personal data is allowed. This includes the access, storage and processing of data by third parties in the framework of open banking***

Or. en

Amendment 66

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 73

Text proposed by the Commission

(73) Payment service providers should be able to process personal data in so far as it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In line with Article 6(1)(c) of Regulation (EU) 2016/679, processing activities should be considered lawful as regards the digital euro if and to the extent that they are necessary for compliance with a legal obligation to which the controller is subject pursuant to this Regulation. In the framework of this regulation, the processing of personal data for the purposes of the enforcement of holding limits, the initiation of the funding and de-funding of a user's holdings, and the management of local storage devices for offline digital euro payments ***are tasks in the public interest that are*** essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. Payment service providers will be the controller of personal data as regards these tasks. In addition, payment service providers may process personal data to comply ***with existing tasks in the public interest or for compliance*** with a legal

Amendment

(73) Payment service providers should be able to process personal data in so far as it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In line with Article 6(1)(c) of Regulation (EU) 2016/679, processing activities should be considered lawful as regards the digital euro if and to the extent that they are necessary for compliance with a legal obligation to which the controller is subject pursuant to this Regulation. In the framework of this regulation, the processing of personal data for the purposes of the enforcement of holding limits, the initiation of the funding and de-funding of a user's holdings, and the management of local storage devices for offline digital euro payments ***complies with a legal obligation that is*** essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. Payment service providers will be the controller of personal data as regards these tasks. In addition, payment service providers may process personal data to comply with a legal obligation established in Union law that apply to funds defined in

obligation established in Union law that apply to funds defined in Directive (EU) 2015/2366. These tasks apply to the provision of payment services and the prevention and detection of fraud in accordance with Directive (EU) 2015/2366, combatting money laundering and terrorist financing in accordance with Directive (EU) 2015/849, the fulfilment of obligations related to taxation and tax avoidance, and the management of operational and security risks in line with Regulation (EU) 2022/255.

Directive (EU) 2015/2366. These tasks apply to the provision of payment services and the prevention and detection of fraud in accordance with Directive (EU) 2015/2366, combatting money laundering and terrorist financing in accordance with Directive (EU) 2015/849, the fulfilment of obligations related to taxation and tax avoidance, and the management of operational and security risks in line with Regulation (EU) 2022/255. ***No further processing of personal data should be allowed. This includes the access, storage and processing of data by third parties in the framework of open banking.***

Or. en

Justification

Alignment with Art. 34

Amendment 67 **Cristian Terheş**

Proposal for a regulation **Recital 75**

Text proposed by the Commission

(75) Offline digital euro payment transactions are payments that occur in close physical proximity (“face-to-face”). They have similarities with transactions in cash and should be treated in a similar way in terms of privacy. Payment service providers should therefore not process personal data related to offline digital euro payment transactions, but only personal data related to depositing or withdrawing digital euros from digital euro payment accounts to load them onto the local storage devices, or from the local storage devices into the digital euro payment accounts. This includes the identifier of the local storage devices which payment service providers attribute to a digital euro user that holds offline digital euro. That

Amendment

(75) Offline digital euro payment transactions are payments that occur in close physical proximity (“face-to-face”). They have similarities with transactions in cash and should be treated in a similar way in terms of privacy. Payment service providers should therefore not process personal data related to offline digital euro payment transactions, but only personal data related to depositing or withdrawing digital euros from digital euro payment accounts to load them onto the local storage devices, or from the local storage devices into the digital euro payment accounts. This includes the identifier of the local storage devices which payment service providers attribute to a digital euro user that holds offline digital euro. That

level of privacy would be comparable to withdrawals of banknotes at automatic teller machines when payment service providers process personal data related to a user's identity and data pertaining to how funding and defunding transactions have been carried out. That means that no transaction data monitoring should occur for offline digital euro payment transactions.

level of privacy would be comparable to withdrawals of banknotes at automatic teller machines when payment service providers process personal data related to a user's identity and data pertaining to how funding and defunding transactions have been carried out. That means that no transaction data monitoring should occur for offline digital euro payment transactions. ***By transaction data, it shall be understood any piece of information directly tied to a digital euro account, either online or offline, when used as intended in the context of this Regulation.***

Or. en

Amendment 68

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 76

Text proposed by the Commission

(76) The European Central Bank and national central banks may process personal data in so far as it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In the framework of this regulation, the processing of personal data for the purposes of the settlement of digital euro payment transactions and the management of the security and integrity of the digital euro infrastructure are tasks in the public interest that are essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. The task of maintaining the security and integrity of digital euro infrastructure includes activities related to ensuring the stability and operational resilience of the digital euro. The European Central Bank and national central banks would be the controller of personal data as regards these

Amendment

(76) The European Central Bank and national central banks may process personal data in so far as it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In the framework of this regulation, the processing of personal data for the purposes of the settlement of digital euro payment transactions and the management of the security and integrity of the digital euro infrastructure are tasks in the public interest that are essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. The ***legal basis for processing of personal data is therefore provided for in Article 6(1)(e) of Regulation (EU) 2016/679 for national banks and Article 5(1)(a) of Regulation (EU) 2018/1725 for the European Central Bank.*** The task of maintaining the security and integrity of digital euro infrastructure

tasks. The European Central Bank and national central banks would process personal data for these tasks using state-of-the-art security and privacy-preserving measures, such as pseudonymisation or encryption, to ensure that data cannot be used to directly identify a specific digital euro user..

includes activities related to ensuring the stability and operational resilience of the digital euro. The European Central Bank and national central banks would be the controller of personal data as regards these tasks. The European Central Bank and national central banks would process personal data for these tasks using state-of-the-art security and privacy-preserving measures, such as pseudonymisation or encryption, to ensure that data cannot be used to directly identify a specific digital euro user..

Or. en

Justification

EDPB para 79

Amendment 69
Domènec Ruiz Devesa

Proposal for a regulation
Recital 76

Text proposed by the Commission

(76) The European Central Bank and national central banks may process personal data in so far as it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro. In the framework of this regulation, the processing of personal data for the purposes of the settlement of digital euro payment transactions and the management of the security and integrity of the digital euro infrastructure are tasks in the public interest that are essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. The task of maintaining the security and integrity of digital euro infrastructure includes activities related to ensuring the stability and operational resilience of the digital euro. The European Central Bank and

Amendment

(76) The European Central Bank and national central banks may process personal data in so far as it is necessary to fulfil tasks that are essential to the proper functioning of the digital euro ***on the basis of Article 6(1)(e) GDPR and Article 5(1)(a) EUDPR***. In the framework of this regulation, the processing of personal data for the purposes of the settlement of digital euro payment transactions and the management of the security and integrity of the digital euro infrastructure are tasks in the public interest that are essential for the protection of citizens making use of the digital euro as well as for the stability and integrity of the Union's financial system. The task of maintaining the security and integrity of digital euro infrastructure includes activities related to ensuring the stability and operational resilience of the

national central banks would be the controller of personal data as regards these tasks. The European Central Bank and national central banks would process personal data for these tasks using state-of-the-art security and privacy-preserving measures, such as pseudonymisation or encryption, to ensure that data cannot be used to directly identify a specific digital euro user..

digital euro. The European Central Bank and national central banks would be the controller of personal data as regards these tasks. The European Central Bank and national central banks would process personal data for these tasks using state-of-the-art security and privacy-preserving measures, such as pseudonymisation or encryption, to ensure that data cannot be used to directly identify a specific digital euro user..

Or. en

Amendment 70
Domènec Ruiz Devesa

Proposal for a regulation
Recital 77

Text proposed by the Commission

(77) For the purpose of enforcing the holding limits and ensuring the exceptional switching of digital euro payment accounts in emergency situations upon the request of the digital euro user, a single access point of digital euro user identifiers and the related digital euro holding limits is necessary to ensure the efficient functioning of the digital euro across the entire euro area, as digital euro users may hold digital euro payment accounts in different Member States. When establishing the single access point, the European Central Bank and national central banks should ensure that the processing of personal data is minimised to what is strictly necessary and that data protection by design and by default is embedded. The European Central Bank and national central banks should consider, where appropriate and to minimise the risk of data breaches, the use of decentralised data storage.

Amendment

(77) For the purpose of enforcing the holding limits and ensuring the exceptional switching of digital euro payment accounts in emergency situations upon the request of the digital euro user, a single access point of digital euro user identifiers and the related digital euro holding limits is necessary to ensure the efficient functioning of the digital euro across the entire euro area, as digital euro users may hold digital euro payment accounts in different Member States. When establishing the single access point, the European Central Bank and national central banks should ensure that the processing of personal data is minimised to what is strictly necessary . ***with due respect to the principle of necessity and proportionality*** and that data protection by design and by default is embedded. The European Central Bank and national central banks should consider, where appropriate and to minimise the risk of data breaches, the use of decentralised data storage.

Amendment 71
Cristian Terheş

Proposal for a regulation
Recital 77

Text proposed by the Commission

(77) For the purpose of enforcing the holding limits and ensuring the exceptional switching of digital euro payment accounts in emergency situations upon the request of the digital euro user, a single access point of digital euro user identifiers and the related digital euro holding limits is necessary to ensure the efficient functioning of the digital euro across the entire euro area, as digital euro users may hold digital euro payment accounts in different Member States. When establishing the single access point, the European Central Bank and national central banks should ensure that the processing of personal data is minimised to what is strictly necessary and that data protection by design and by default is embedded. The European Central Bank and national central banks *should consider, where appropriate and to minimise the risk of data breaches*, the use of *decentralised data storage*.

Amendment

(77) For the purpose of enforcing the holding limits and ensuring the exceptional switching of digital euro payment accounts in emergency situations upon the request of the digital euro user, a single access point of digital euro user identifiers and the related digital euro holding limits is necessary to ensure the efficient functioning of the digital euro across the entire euro area, as digital euro users may hold digital euro payment accounts in different Member States. When establishing the single access point, the European Central Bank and national central banks should ensure that the processing of personal data is minimised to what is strictly necessary and that data protection by design and by default is embedded. The European Central Bank and national central banks *shall adopt measures to ensure that account balances can be redeemed directly by users through the use of a backup code*.

Or. en

Amendment 72
Cristian Terheş

Proposal for a regulation
Recital 82

Text proposed by the Commission

(82) *While* offline digital euro payment transactions have similarities with

Amendment

(82) *Since* offline digital euro payment transactions have similarities with

transactions in cash **and should** be treated in a similar way in terms of privacy **specific holding and transaction limits for offline proximity payments are essential to mitigate AML/CFT risks,**

transactions in cash **they must** be treated in a similar way in terms of privacy;

Or. en

Amendment 73
Domènec Ruiz Devesa

Proposal for a regulation
Recital 83

Text proposed by the Commission

(83) In order to ensure uniform conditions for the application of holding and transaction limits for offline proximity payments, **implementing** powers should be conferred on the Commission. Those powers should be exercised in accordance with **Regulation (EU) No 182/2011 of the European Parliament and of the Council⁴⁰**. **The examination** procedure should be used for the adoption of the **implementing** acts specifying the transaction and holding limits of the offline digital euro, given that those acts contributes to the fight against money laundering and terrorist financing.

⁴⁰ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment

(83) In order to ensure uniform conditions for the application of holding and transaction limits for offline proximity payments, **delegated** powers should be conferred on the Commission. Those powers should be exercised in accordance with **the procedure referred in Article 38** should be used for the adoption of the **delegated** acts specifying the transaction and holding limits of the offline digital euro, given that those acts contributes to the fight against money laundering and terrorist financing.

Or. en

Amendment 74
Emil Radev

Proposal for a regulation

Article 2 – paragraph 1 – point 5

Text proposed by the Commission

5. ‘digital euro payment account’ means an account held by one or more digital euro users with a payment service provider to access digital euro recorded in the digital euro settlement infrastructure or in *an offline digital euro* device and to initiate or receive digital euro payment transactions, whether offline or online, and irrespective of technology and data structure;

Amendment

5. ‘digital euro payment account’ means an account held by one or more digital euro users with a payment service provider to access digital euro recorded in the digital euro settlement infrastructure or in *a local storage* device and to initiate or receive digital euro payment transactions, whether offline or online, and irrespective of technology and data structure;

Or. en

Amendment 75

Cristian Terheş

Proposal for a regulation

Article 2 – paragraph 1 – point 6

Text proposed by the Commission

6. ‘*European Digital Identity Wallets*’ means the wallets set out in Article 6a of Regulation (EUDIWR) [please insert reference – proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity – COM(2021) 281 final];

Amendment

deleted

Or. en

Justification

The discussion during the shadow meetings on the Digital Identity Wallets was that this system will not be used for Digital Euro

Amendment 76

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point 15

Text proposed by the Commission

15. ‘offline digital euro payment transaction’ means a digital euro payment transaction, ***made in physical proximity***, where authorisation and settlement take place in the local storage devices of both payer and payee;

Amendment

15. ‘offline digital euro payment transaction’ means a digital euro payment transaction, where authorisation and settlement take place in the local storage devices of both payer and payee;

Or. en

Justification

For a real added value of the digital euro in comparison to cash, credit cards and crypto currencies, and following the concept of "digital cash", it should be possible to pay digitally as anonymously as in cash. It is not justified to limit this to payments in physical presence.

Amendment 77

Cristian Terheş

Proposal for a regulation

Article 2 – paragraph 1 – point 15 a (new)

Text proposed by the Commission

Amendment

15 a. 'low value online digital euro payment transactions' means online digital euro payment transactions, either in a single operation or in several operations which appear to be linked, where the amount is below the limit to large cash payments set in the Member cash payments set in the Member State where payee is established;

Or. en

Amendment 78

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 20 a (new)

Text proposed by the Commission

Amendment

20 a. ‘payment transaction data’ means data which is generated by a payment transaction within the processing limits laid down in Annex III, IV and V;

Or. en

Amendment 79
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 28

Text proposed by the Commission

Amendment

28. ‘user alias’ means a **unique** pseudonymous identifier used to protect user’s identity when processing digital euro payments that can only be attributable to an identifiable natural or legal person by the payment service provider **distributing the digital euro** or by the digital euro user;

28. ‘user alias’ means a pseudonymous identifier **composed of the unique digital euro account number and, upon request by the digital euro user, additional proxies, that unambiguously identifies a digital euro payment account and is** used to protect user’s identity when processing digital euro payments that can only be attributable to an identifiable natural or legal person by the payment service provider or by the digital euro user;

Or. en

Justification

The reformulation should clarify that the user alias is equivalent to the digital euro account number and in addition upon the user request of additional proxies such as a phone number.

Amendment 80
Cristian Terheş

Proposal for a regulation
Article 2 – paragraph 1 – point 28

Text proposed by the Commission

28. ‘user alias’ means a unique pseudonymous identifier used to protect user’s identity when processing digital euro payments that can only be attributable to an identifiable natural or legal person by the payment service provider distributing the digital euro or by the digital euro user;

Amendment

28. ‘user alias’ means a unique pseudonymous identifier ***that is different for different transactions in order to prevent the association or tracking of the user across transactions***, used to protect user’s identity when processing digital euro payments that can only be attributable to an identifiable natural or legal person by the payment service provider distributing the digital euro or by the digital euro user;

Or. en

Amendment 81
Ondřej Kovařík

Proposal for a regulation
Article 2 – paragraph 1 – point 28

Text proposed by the Commission

28. ‘user alias’ means a unique pseudonymous identifier used to protect user’s identity when processing digital euro payments that can only be attributable to an identifiable natural or legal person by the payment service provider distributing the digital euro or by the digital euro user;

Amendment

28. ‘user alias’ means a unique pseudonymous identifier, ***that prevents the association or tracking of the user across transactions***, used to protect user’s identity when processing digital euro payments that can only be attributable to an identifiable natural or legal person by the payment service provider distributing the digital euro or by the digital euro user;

Or. en

Amendment 82
Emil Radev

Proposal for a regulation
Article 2 – paragraph 1 – point 31

Text proposed by the Commission

31. ‘mobile device’ means a device that enables digital euro users to authorise digital euro payment transactions online or

Amendment

31. ‘mobile device’ means a device that enables digital euro users to ***securely*** authorise digital euro payment transactions

offline including ***in particular*** smart phones, tablets, smart watches and wearables of all kind.

online or offline including ***but not limited to*** smart phones, tablets, smart watches and wearables of all kind, ***as well as cards and USB sticks containing a local storage device.***

Or. en

Amendment 83

Emil Radev

Proposal for a regulation

Article 2 – paragraph 1 – point 31 a (new)

Text proposed by the Commission

Amendment

31 a. ‘local storage device’ means a mobile device in which authorisation and settlement of offline digital euro payment transactions takes place.

Or. en

Amendment 84

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point 31 a (new)

Text proposed by the Commission

Amendment

31 a. ‘local storage device’ means either a mobile device as defined in paragraph 31, or a payment terminal used by a payee or merchant.

Or. en

Justification

A ‘local storage device’ is a device such as a physical card or a smartphone, allowing to store digital euros for the purpose of offline digital euro payment transactions.

Amendment 85

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

1. The digital euro shall be governed by the provisions of this Regulation, supplemented by the delegated acts that the Commission is empowered to adopt pursuant to Articles 11, 33, 34, 35 and 38, and by the implementing acts that the Commission is empowered to adopt pursuant to Article 37.

Amendment

1. The digital euro shall be governed by the provisions of this Regulation, supplemented by the delegated acts that the Commission is empowered to adopt pursuant to Articles 11, 33, 34, 35 and 38, and by the implementing acts that the Commission is empowered to adopt pursuant to Article 37. ***When drafting delegated and implementing acts pursuant to Articles mentioned in this paragraph, the Commission shall fully implement the principles of data protection by design and by default, as defined in Regulation (EU) 2016/679.***

Or. en

Justification

Based on AM 9 Rapporteur

Amendment 86

Cristian Terheş

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed measures, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed measures, rules and standards have an impact on the protection of individuals' rights and freedom with regard to the processing of personal data, the European

Amendment

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed measures, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed measures, rules and standards have an impact on the protection of individuals' rights and freedom with regard to the processing of personal data, the European

Central Bank shall consult the European Data Protection **Supervisor** prior to their adoption.

Central Bank shall consult **and follow** the European Data Protection **Supervisor's recommendations** prior to their adoption, **as follows:**

When adopting a particular measure, rule and/or standard pertaining to the digital euro and how personal data will be processed, if EDPS has indicated a preferred safeguard, then the ECB shall adopt such measure, rule and/or standard.

In the event that EDPS has not indicated a preference, and if the ECB has several options to select from, it shall only adopt the one that affects the process the least amount of personal data, regardless of if that option requires additional efforts to be carried out, taking especially into account the data minimisation principle.

If the measure, rule and/or standard will also have to be co-decided and/or implemented by national central banks and PSPs, respectively, then the EDPB will be involved in the process.

Or. en

Amendment 87

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed measures, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed measures, rules and standards have an impact on the protection of individuals' rights and freedom with regard to the processing of personal data, the European Central Bank shall consult the European Data Protection Supervisor prior to their

Amendment

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed measures, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed measures, rules and standards have an impact on the protection of individuals' rights and freedom with regard to the processing of personal data, the European Central Bank shall consult the European Data Protection Supervisor prior to their

adoption.

adoption. *Such detailed measures, rules and standards shall fully implement the principles of data protection by design and by default, as defined in Regulation (EU) 2016/679, and shall implement privacy-enhancing technologies.*

Or. en

Justification

Based on AM 10 Rapporteur and adds 'privacy-enhancing technologies'

Amendment 88

Domènec Ruiz Devesa

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed measures, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed measures, rules and standards have an impact on the protection of individuals' **rights and freedom** with regard to the processing of personal data, the European Central Bank shall consult the European Data Protection Supervisor prior to their adoption.

Amendment

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed measures, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed measures, rules and standards have an impact on the **privacy and** protection of individuals with regard to the processing of **their** personal data, the European Central Bank shall consult the European Data Protection Supervisor prior to their adoption.

Or. en

Amendment 89

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Directive (EU) 2015/2366 of the European Parliament and of the Council, of 25 November 2015, on payment services in the internal market, as replaced by Directive (EU) [please insert reference – proposal for a Directive on payment services and electronic money services in the internal market - COM/2023/366 final], shall govern the supervision by competent authorities, the sanctions regime and supervisory arrangements between the competent authorities of the home Member States and of the host Member States, concerning compliance by Payment Services Providers of their obligations pursuant to Chapters IV, V, VI and VII of this Regulation.

2. Directive (EU) 2015/2366 of the European Parliament and of the Council, of 25 November 2015, on payment services in the internal market, as replaced by Directive (EU) [please insert reference – proposal for a Directive on payment services and electronic money services in the internal market - COM/2023/366 **final/ and Regulation (EU) [please insert reference – proposal for a Regulation on payment services in the internal market and amending Regulation (EU) No 1093/2010 - COM(2023) 367 final]**], shall govern the supervision by competent authorities, the sanctions regime and supervisory arrangements between the competent authorities of the home Member States and of the host Member States, concerning compliance by Payment Services Providers of their obligations pursuant to Chapters IV, V, VI and VII of this Regulation.

Or. en

Justification

The Payment Services Regulation contains an important chapter on the enforcement including on administrative sanctions which should apply to all payment services including the digital euro.

Amendment 90

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC [General Data Protection Regulation] and

Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC [EUDPR] shall govern the supervision by competent authorities, the sanctions regime and supervisory arrangements between the competent authorities of the home Member States and the host Member States, concerning compliance by data controllers of their obligations pursuant to Chapter VIII of this Regulation.

Or. en

Justification

The Commission proposal does not foresee a supervisory regime for Chapter VIII “Privacy and data protection”. As this Chapter VIII includes rules on the processing of personal data, the lead supervisory authorities shall be the data protection authorities designated under the General Data Protection Regulation and the EU Data Protection Regulation.

Amendment 91
Domènec Ruiz Devesa

Proposal for a regulation
Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC [General Data Protection Regulation] and Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC)

No 45/2001 and Decision No 1247/2002/EC [EUDPR] shall govern the supervision by competent authorities, the sanctions regime and supervisory arrangements between the competent authorities of the home Member States and the host Member States, concerning compliance by data controllers of their obligations pursuant to Chapter VIII of this Regulation

Or. en

Amendment 92
Lukas Mandl

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) where the payee is a an enterprise which employs fewer than **10** persons or whose annual turnover or annual balance sheet total does not exceed EUR **2** million, or is a non-profit legal entity as defined in in Article 2, point (18), of Regulation (EU) 2021/695 of the European Parliament and of the Council⁴⁴, ***unless it accepts comparable digital means of payment;***

Amendment

(a) where the payee is a an enterprise which employs fewer than **50** persons or whose annual turnover or annual balance sheet total does not exceed EUR **5** million, or is a non-profit legal entity as defined in in Article 2, point (18), of Regulation (EU) 2021/695 of the European Parliament and of the Council

⁴⁴ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

Or. en

Amendment 93
Domènec Ruiz Devesa

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) where the payee is a an enterprise which employs fewer than 10 persons or whose annual turnover or annual balance sheet total does not exceed EUR 2 million, or is a non-profit legal entity as defined in in Article 2, point (18), of Regulation (EU) 2021/695 of the European Parliament and of the Council⁴⁴, unless it accepts **comparable** digital means of payment;

⁴⁴ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

Amendment

(a) where the payee is a an enterprise which employs fewer than 10 persons or whose annual turnover or annual balance sheet total does not exceed EUR 2 million, or is a non-profit legal entity as defined in in Article 2, point (18), of Regulation (EU) 2021/695 of the European Parliament and of the Council⁴⁴, unless it accepts digital means of payment;

⁴⁴ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

Or. en

Amendment 94
Domènec Ruiz Devesa

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

For the purposes of point (b), the burden of proof to establish that legitimate and temporary grounds existed in a particular case and that the refusal was proportionate shall be on the payee.

Amendment

For the purposes of point (b) **and (d)**, the burden of proof to establish that legitimate and temporary grounds existed in a particular case and that the refusal was proportionate shall be on the payee.

Or. en

Amendment 95

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

For the purposes of point (b), the burden of proof to establish that legitimate and temporary grounds existed in a particular case and that the refusal was proportionate shall be on the payee.

Amendment

For the purposes of point (b) **and (d)**, the burden of proof to establish that legitimate and temporary grounds existed in a particular case and that the refusal was proportionate shall be on the payee.

Or. en

Justification

The merchant (payee) shall have the burden of proof showing that contractual terms have been individually negotiated.

Amendment 96
Domènec Ruiz Devesa

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 38 to supplement this Regulation by identifying additional exceptions of a monetary law nature to the principle of mandatory acceptance. Those exceptions shall be justified by an objective of public interest and proportionate to that aim, shall not undermine the effectiveness of the legal tender status of the digital euro, and shall only be permitted provided that other means for the payment of monetary debts are available. When preparing those delegated acts, the Commission shall consult the European Central Bank.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 38 to supplement this Regulation by identifying additional exceptions of a monetary law nature to the principle of mandatory acceptance. Those exceptions shall be justified by an objective of public interest and proportionate to that aim, shall not undermine the effectiveness of the legal tender status of the digital euro, and shall only be permitted provided that other **public** means for the payment of monetary debts are available. When preparing those delegated acts, the Commission shall consult the European Central Bank.

Or. en

Amendment 97

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The European Central Bank may restrict the access to and use in time of the digital euro for the digital euro users referred to in points (b) and (c) subject to the conditions laid down in Article 16 (2). Those timeframes shall be determined in relation to the residence or visiting status of the digital euro users.

deleted

Or. en

Amendment 98

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

Amendment

2. Payment service providers that provide servicing payment services within the meaning of Directive 2015/2366 shall enable digital euro users to manually or automatically fund or defund their digital euro payment accounts from or to non-digital euro payment accounts, or euro banknotes and coins when a payment services provider provides cash services, ***subject to any limitations that the European Central Bank may adopt in accordance with Article 16 of this Regulation.***

2. Payment service providers that provide servicing payment services within the meaning of Directive 2015/2366 shall enable digital euro users to manually or automatically fund or defund their digital euro payment accounts from or to non-digital euro payment accounts, or euro banknotes and coins when a payment services provider provides cash services.

Or. en

Amendment 99

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 13 – paragraph 4

Text proposed by the Commission

Amendment

4. Payment service providers **deleted**
providing account servicing payment
services within the meaning of Directive
2015/2366 shall enable digital euro users:

(a) to have their digital euros in excess of
any limitations the European Central
Bank may adopt in accordance with
Article 16 automatically defunded to a
non-digital euro payment account, where
an online digital euro payment
transaction is received;

(b) to make an online digital euro
payment transaction where the
transaction amount exceeds their digital
euro holdings.

For the purpose of points (a) and (b), and
upon prior approval by the digital euro
users, payment service providers shall link
each digital euro payment account to a
single non-digital euro payment account
designated by the digital euro users.
Digital euro users shall be allowed to have
that designated non-digital euro payment
account with a different payment service
provider than the one where a given
digital euro payment account is held.

Or. en

Amendment 100
Lukas Mandl

Proposal for a regulation
Article 13 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) to make an online digital euro
payment transaction where the transaction

(b) to make an online digital euro
payment transaction where the transaction

amount exceeds their digital euro holdings.

amount exceeds their digital euro holdings,
provided that the transaction amount does not exceed the limit set pursuant to Article 16.

Or. en

Amendment 101

Domènec Ruiz Devesa

Proposal for a regulation

Article 13 – paragraph 4 – subparagraph 2

Text proposed by the Commission

For the purpose of points (a) and (b), and upon ***prior approval*** by the digital euro users, payment service providers shall link each digital euro payment account to a single non-digital euro payment account designated by the digital euro users. Digital euro users shall be allowed to have that designated non-digital euro payment account with a different payment service provider than the one where a given digital euro payment account is held.

Amendment

For the purpose of points (a) and (b), and upon ***permission*** by the digital euro users, payment service providers shall link each digital euro payment account to a single non-digital euro payment account designated by the digital euro users. Digital euro users shall be allowed to have that designated non-digital euro payment account with a different payment service provider than the one where a given digital euro payment account is held.

Or. en

Amendment 102

Emil Radev

Proposal for a regulation

Article 13 – paragraph 4 – subparagraph 2

Text proposed by the Commission

For the purpose of points (a) and (b), and upon ***prior approval*** by the digital euro users, payment service providers shall link each digital euro payment account to a single non-digital euro payment account designated by the digital euro users. Digital euro users shall be allowed to have that designated non-digital euro payment account with a different payment service

Amendment

For the purpose of points (a) and (b), and upon ***permission*** by the digital euro users, payment service providers shall link each digital euro payment account to a single non-digital euro payment account designated by the digital euro users. Digital euro users shall be allowed to have that designated non-digital euro payment account with a different payment service

provider than the one where a given digital euro payment account is held.

provider than the one where a given digital euro payment account is held.

Or. en

Amendment 103

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. In case a payment service provider providing digital euro payment services enters into insolvency or other similar proceedings, the digital euro holdings of digital euro users would not be affected.

Or. en

Justification

It should be clarified that provided the direct liability of central banks for the digital euro, digital euro holdings are not affected by insolvency or similar proceedings of payment service providers.

Amendment 104

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 14 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) provide basic digital euro payment services to natural persons ***referred to in Article 13(1)(a) that do not hold or do not wish to hold a non-digital euro payment account;***

(a) provide basic digital euro payment services to natural persons;

Or. en

Amendment 105
Lukas Mandl

Proposal for a regulation
Article 14 – paragraph 3 – point a

Text proposed by the Commission

(a) provide basic digital euro payment services to natural persons referred to in Article 13(1)(a) ***that do not hold or do not wish to hold a non-digital euro payment account;***

Amendment

(a) provide basic digital euro payment services to natural persons referred to in Article 13(1)(a)

Or. en

Amendment 106
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 14 – paragraph 3 – point b

Text proposed by the Commission

(b) provide basic digital payment services and provide digital inclusion support provided face-to-face in physical proximity to ***persons with disabilities, functional limitations or limited digital skills, and elderly people.***

Amendment

(b) provide basic digital payment services and provide digital inclusion support provided face-to-face in physical proximity to ***all payment service users.***

Or. en

Justification

Access to public entities should not be restricted but open and easily accessible to everyone who asks for it. All consumers should be able to use a public entity to open a digital euro account.

Amendment 107
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 14 – paragraph 3 a (new)

3 a. 3a. Member States shall ensure sufficient and effective access to the entities referred to in the first subparagraph throughout their territory, in all their different regions, including urban and non-urban areas. Member States shall determine the number and geographical distribution of entities on the basis of common indicators adopted by the Commission by delegated acts.

Or. en

Amendment 108

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 14 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. 3b. Member States shall ensure a high level of quality of the support provided and a service which is targeted to the needs of vulnerable consumers. Member States shall assess the quality of advice on the basis of common indicators adopted by the Commission by delegated acts.

Or. en

Justification

To ensure that the public entities are widely available and offers good quality of advice across the euro area, common indicators should be adopted to set minimum requirements for this service.

Amendment 109

Domènec Ruiz Devesa

Proposal for a regulation

Article 14 – paragraph 5

5. ***The anti-money laundering authority of the Union ('AMLA') established under Regulation (EU) [please insert reference - proposal for a Regulation creating an EU Authority for anti-money laundering and countering the financing of terrorism ('AMLA') - COM/2021/421 final]] and the European Banking Authority shall jointly issue guidelines specifying the interaction between AML/CFT requirements and the provision of basic digital euro payment services with a particular focus on financial inclusion of vulnerable groups including asylum seekers or beneficiaries of international protection, individuals with no fixed address or third country nationals who are not granted a residence permit but whose expulsion is impossible for legal or factual reasons.***

5. The European Banking Authority shall issue guidelines ***on*** the provision of basic digital euro payment services with a particular focus on financial inclusion of vulnerable groups, ***excluding the registration of the status of digital euro users***

Or. en

Amendment 110

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 14 – paragraph 5

5. The anti-money laundering authority of the Union ('AMLA') established under Regulation (EU) [please insert reference - proposal for a Regulation creating an EU Authority for anti-money laundering and countering the financing of terrorism ('AMLA') - COM/2021/421 final]] and the European Banking Authority shall jointly issue guidelines specifying the interaction between AML/CFT requirements and the provision of basic digital euro payment services with a particular focus on financial inclusion of

5. The anti-money laundering authority of the Union ('AMLA') established under Regulation (EU) [please insert reference - proposal for a Regulation creating an EU Authority for anti-money laundering and countering the financing of terrorism ('AMLA') - COM/2021/421 final]] and the European Banking Authority shall jointly issue guidelines specifying the interaction between AML/CFT requirements and the provision of basic digital euro payment services with a particular focus on financial inclusion of

vulnerable groups including asylum seekers or beneficiaries of international protection, individuals with no fixed address or third country nationals who are not granted a residence permit but whose expulsion is impossible for legal or factual reasons.

vulnerable groups including asylum seekers or beneficiaries of international protection, individuals with no fixed address or third country nationals who are not granted a residence permit but whose expulsion is impossible for legal or factual reasons. ***Those guidelines shall not imply that payment service providers register the status of potential digital euro users, including as asylum seeker or beneficiary of international protection or individual with no fixed address or third country national who is not granted a residence permit.***

Or. en

Justification

Such registration would stigmatise those users, and it is not necessary for providing the payment service.

Amendment 111

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 14 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Supervisors may, directly or in collaboration with other authorities in that Member State, exempt obliged entities from conducting, in full or in part, the customer due diligence measures referred to under Article 16(1), points (a) to (c) of Regulation [please insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final] with respect to the offline version of the digital euro on the basis of the proven low risk posed by the nature of the product.

Or. en

Amendment 112
Lukas Mandl

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. With a view to enabling natural and legal persons to access and use digital euro, to defining and implementing monetary policy and to contributing to the stability of the financial system, the use of the digital euro as a store of value ***may be*** subject to limits.

Amendment

1. With a view to enabling natural and legal persons to access and use digital euro, to defining and implementing monetary policy and to contributing to the stability of the financial system, the use of the digital euro as a store of value ***is*** subject to limits.

Or. en

Amendment 113
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 16

Text proposed by the Commission

[...]

Amendment

deleted

Or. en

Justification

No holding limits, like with cash

Amendment 114
Lukas Mandl

Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

1. For the purpose of Article 15(1), the European Central Bank shall develop instruments to limit the use of the digital euro as a store of value and shall decide on

Amendment

1. For the purpose of Article 15(1), ***a holding limit for the digital euro shall be introduced.*** The European Central Bank shall ***determine the holding limit that shall***

their parameters and use, in accordance with the framework set out in this Article. PSPs providing account servicing payment services within the meaning of Directive 2015/2366 to natural and legal persons referred to in Article 12(1) shall apply these limits to digital euro payment accounts.

amount at least 100 euro and 1.000 euro as a maximum. The European Central Bank may develop instruments to limit the use of the digital euro as a store of value and shall decide on their parameters and use, in accordance with the framework set out in this Article. PSPs providing account servicing payment services within the meaning of Directive 2015/2366 to natural and legal persons referred to in Article 12(1) shall apply these limits to digital euro payment accounts.

Or. en

Amendment 115

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 a (new)

Text proposed by the Commission

Amendment

Article 16a

***Use of the digital euro as a store of value
Within the framework of this Regulation,
the digital euro shall not bear interest.***

Or. en

Amendment 116

Domènec Ruiz Devesa

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

Amendment

4. The European Central Bank may require payment service providers to provide all information necessary for the application of this Article and to verify compliance with it. Any information requested shall be sent by payment service

4. The European Central Bank may require payment service providers to provide all information necessary for the application of this Article and to verify compliance with it. Any information requested shall be sent by payment service

providers within the time limit set by the European Central Bank. The European Central Bank may require that such information is certified by an independent auditor.

providers within the time limit set by the European Central Bank. The European Central Bank may require that such information is certified by an independent auditor. ***The request by the European Central bank shall be made in accordance with the data protection rules for the purposes of the processing, including the principle of data minimisation. The requests for information by the European Central Bank shall always be in writing, reasoned and occasional, and shall not concern the entirety of a filing system or lead to the interconnection of filing systems***

Or. en

Amendment 117

Emil Radev

Proposal for a regulation Article 17 – paragraph 4

Text proposed by the Commission

4. The European Central Bank may require payment service providers to provide ***all*** information necessary for the application of this Article and to verify compliance with it. Any information requested shall be sent by payment service providers within the time limit set by the European Central Bank. The European Central Bank may require that such information is certified by an independent auditor.

Amendment

4. The European Central Bank may require payment service providers to provide information necessary for the application of this Article, ***in accordance with existing data protection rules in line with the purposes of the processing of personal data***, and to verify compliance with it. Any information requested shall be sent by payment service providers within the time limit set by the European Central Bank. The European Central Bank may require that such information is certified by an independent auditor.

Or. en

Amendment 118

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 17 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Where the information referred to in paragraph 4 concerns personal data, the European Central Bank shall require only the data that is strictly necessary for the purposes of the processing, and in full implementation of the principle of data minimisation. The requests for information by the ECB shall always be in writing, reasoned and occasional, and shall not concern the entirety of a filing system or lead to the interconnection of filing systems.

Or. en

Justification

EDPB para 42

Amendment 119
Emil Radev

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

Amendment

1. Payment service providers may only distribute the digital euro to natural and legal persons residing or established in a Member State whose currency is not the euro if the European Central Bank and the national central bank of that Member State have signed an arrangement to that effect.

1. Payment service providers may only distribute the digital euro to natural and legal persons residing or established in a Member State whose currency is not the euro if the European Central Bank and the national central bank of that Member State have signed an arrangement to that effect. ***Under such arrangement, natural and legal persons residing or established in that Member State wishing to become digital euro users shall receive the same conditions and opportunities for the use of the digital euro as digital euro users in Member States whose currency is the euro.***

Amendment 120
Domènec Ruiz Devesa

Proposal for a regulation
Article 19 – paragraph 3

Text proposed by the Commission

3. The agreement between the Union and the third country shall specify the necessary implementing measures and procedures, and the cases under which the agreement may be restricted, suspended, or terminated, in particular where the third country has been identified as a third country with significant strategic deficiencies in its national anti-money laundering and combating the financing of terrorism regime as referred to in Article 23 of Regulation [please insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final] or as a third country with compliance weaknesses in its national anti-money laundering and combating the financing of terrorism regime as referred to in Article 24 of Regulation [please insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final]. That agreement shall be complemented by an arrangement between the European Central Bank and the national central bank and, where appropriate, the national competent authority of the third country.

Amendment

3. The agreement between the Union and the third country shall specify the necessary implementing measures and procedures, and the cases under which the agreement may be restricted, suspended, or terminated, in particular where the third country has been identified as a third country with significant strategic deficiencies in its national anti-money laundering and combating the financing of terrorism regime as referred to in Article 23 of Regulation [please insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final] or as a third country with compliance weaknesses in its national anti-money laundering and combating the financing of terrorism regime as referred to in Article 24 of Regulation [please insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final] ***] or as a third country posing a threat to the Union's financial system as referred to in Article 25 of Regulation [insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final].*** That agreement shall be complemented by an arrangement between the European Central Bank and the national central bank and, where appropriate, the national competent authority of the third country.

Amendment 121
Lukas Mandl

Proposal for a regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. In their relationships with their payment services providers for the provision of digital euro payment services, digital euro users shall not be required to ***have or*** open non-digital euro ***payment accounts or accept*** other non-digital euro products.

Amendment

2. In their relationships with their payment services providers for the provision of digital euro payment services, digital euro users shall not be required to open ***an additional account for the*** non-digital euro ***or to enter into a contract for*** other non-digital euro products.

Or. en

Amendment 122
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 23 – paragraph 3

Text proposed by the Commission

3. Before initiating a digital euro payment transaction ***in a proximity payment***, the payee and the payer shall ***be informed of*** whether the digital euro payment transaction will be offline or online.

Amendment

3. Before initiating a digital euro payment transaction, the payee and the payer shall ***agree on*** whether the digital euro payment transaction will be offline or online.

Or. en

Justification

based on Rapporteur AM 19

Amendment 123
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 25

Text proposed by the Commission

Amendment

European Digital Identity Wallets

- 1. Front-end services shall be interoperable with or integrated in the European Digital Identity Wallets.**
- 2. On request by digital euro users, payment service providers distributing the digital euro shall ensure that those users can rely on the functionalities of their European Digital Identity Wallets in accordance with Article 6a of Regulation (EU) [please insert reference – proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity – COM(2021) 281 final];**

Or. en

Justification

The EDIW does not foresee payments and 'payment service providers' are not mentioned in eIDAS.

Amendment 124

Cristian Terheş

Proposal for a regulation

Article 25

Text proposed by the Commission

Amendment

European Digital Identity Wallets

- 1. Front-end services shall be interoperable with or integrated in the European Digital Identity Wallets.**
- 2. On request by digital euro users, payment service providers distributing the digital euro shall ensure that those users can rely on the functionalities of their European Digital Identity Wallets in accordance with Article 6a of Regulation (EU) [please insert reference – proposal for a Regulation of the European**

***Parliament and of the Council amending
Regulation (EU) No 910/2014 as regards
establishing a framework for a European
Digital Identity – COM(2021) 281 final;***

Or. en

Justification

The discussion during the shadow meetings on the Digital Identity Wallets was that this system will not be used for Digital Euro

Amendment 125

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

The European Central Bank shall seek to ensure to the extent possible the interoperability of standards governing digital euro payment services with relevant standards governing private digital means of payment. The European Central Bank shall seek to enable, to the extent possible ***and where appropriate***, private digital means of payment to use rules, standards and processes governing the digital euro payment services.

Amendment

The European Central Bank shall seek to ensure to the extent possible the interoperability of standards governing digital euro payment services with relevant standards governing private digital means of payment. The European Central Bank shall seek to enable ***and encourage***, to the extent possible, private digital means of payment to use rules, standards and processes governing the digital euro payment services, ***including the full implementation of the principles of data protection by design and by default, as defined in Regulation (EU) 2016/679.***

Or. en

Amendment 126

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

Amendment

For the purpose of the first subparagraph, interoperability may be supported inter alia by the use of open standards.

The European Central Bank shall give preference to the use of open standards where such standards are available.

Or. en

Amendment 127
Domènec Ruiz Devesa

Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission

Amendment

2. The European Central Bank and the national central banks may make mechanisms available for payment services providers to facilitate the exchange of messages for the resolution of disputes. Those mechanisms may be operated directly by the European Central Bank or by the providers of support services designated by the European Central Bank.

2. The European Central Bank and the national central banks may make mechanisms available for payment services providers to facilitate the exchange of messages for the resolution of disputes. ***To this purpose, transaction data shall be pseudonymised.*** Those mechanisms may be operated directly by the European Central Bank or by the providers of support services designated by the European Central Bank.

Or. en

Amendment 128
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

Amendment

2. Final settlement of online digital euro payment transactions shall occur at the moment of recording the transfer of the digital euros concerned from the payer to the payee in the digital euro settlement infrastructure approved by the Eurosystem.

2. Final settlement of online digital euro payment transactions shall occur at the moment of recording the transfer of the digital euros concerned from the payer to the payee in the digital euro settlement infrastructure approved by the Eurosystem. ***The settlement infrastructure shall be***

designed in such a way that neither the European Central Bank nor national central banks can attribute data to an identified or identifiable digital euro user.

Or. en

Justification

From Recital 71, but turned into a legal obligation. EDPB para 54

Amendment 129

Emil Radev

Proposal for a regulation

Article 30 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. The settlement infrastructure shall be developed in compliance with to the principles of data protection by design and by default, as defined in Regulation (EU) 2016/679, and with appropriate safeguards.

Or. en

Amendment 130

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 31 – paragraph 1

Text proposed by the Commission

Amendment

1. Payment service providers shall enable digital euro users at their request to switch their digital euro payment accounts to other payment service providers while maintaining the same account identifiers.

1. Payment service providers shall enable digital euro users at their request to switch their digital euro payment accounts **free of charge** to other payment service providers while maintaining the same account identifiers.

Or. en

Amendment 131

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. In exceptional circumstances where a payment service provider is operationally not in a position to provide digital euro payment services to digital euro users for a prolonged period of time, or has lost the digital euro payment account-related data concerned, the European Central Bank and national central banks may authorise the switching of digital euro payment accounts held with that payment service provider to another payment service provider designated by the digital euro user. That switching shall enable the new payment service provider to complete the switching without relying on the unavailable payment service provider.

Amendment

2. In exceptional circumstances where a payment service provider is operationally not in a position to provide digital euro payment services to digital euro users for a prolonged period of time, or has lost the digital euro payment account-related data concerned, the European Central Bank and national central banks may authorise the switching of digital euro payment accounts held with that payment service provider to another payment service provider designated by the digital euro user. That switching shall enable the new payment service provider to complete the switching without relying on the unavailable payment service provider. ***The switching service shall not result in data access by the European Central Bank and national central banks under normal circumstances.***

Or. en

Amendment 132

Emil Radev

Proposal for a regulation

Article 32 – paragraph 1

Text proposed by the Commission

1. The European Central Bank may facilitate the fraud detection and prevention tasks that payment service providers shall perform under Directive 2015/2366 by establishing a general fraud detection and prevention mechanism for online digital

Amendment

1. The European Central Bank may facilitate the fraud detection and prevention tasks that payment service providers shall perform under Directive 2015/2366 by establishing a general fraud detection and prevention mechanism for online digital

euro transactions to ensure the smooth and efficient functioning of the digital euro. That general fraud detection and prevention mechanism may be operated directly by the European Central Bank or by the providers of support services designated by the European Central Bank.

euro transactions to ensure the smooth and efficient functioning of the digital euro, ***while at the same time provide the appropriate safeguards necessary to make the processing compliant with the principle of proportionality.*** That general fraud detection and prevention mechanism may be operated directly by the European Central Bank or by the providers of support services designated by the European Central Bank.

Or. en

Amendment 133
Cristian Terheş

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

2. The European Central Bank ***shall consult*** the European Data Protection Supervisor ***prior to developing*** the details on the operational elements of the fraud detection and prevention mechanism.

Amendment

2. The European Central Bank ***and*** the European Data Protection Supervisor ***shall jointly develop*** the details on the operational elements of the fraud detection and prevention mechanism, ***by foreseeing an appropriate storage limitation.***

In formulating the operational framework for the fraud detection and prevention mechanism to be adopted by the ECB, the selection of methods shall consistently prioritize those that involve the minimal processing of personal data, in accordance with the principles of necessity and proportionality and taking due count of the guidance and opinions of data protection authorities. In the event that there is a likely risk to exclude vulnerable populations from the use of the digital euro as a result from these measures, then such general mechanism should not be implemented. Moreover, any impact assessment conducted by the ECB shall not dispense any other party that engages in fraud detection and prevention activities to conduct their own

impact assessment, where applicable, under Regulation 2016/679 and/or any other relevant legislation.

Or. en

Amendment 134

Emil Radev

Proposal for a regulation

Article 32 – paragraph 4

Text proposed by the Commission

4. For the purpose of this Article, payment service providers shall provide the fraud detection and prevention mechanism with information referred to in Annex 5. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that the support service shall not be able to directly identify the digital euro users on the basis of the information provided to the fraud detection and prevention mechanism.

Amendment

4. For the purpose of this Article, payment service providers shall provide the fraud detection and prevention mechanism with information referred to in Annex V. ***The*** Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that ***European Central Bank or*** the support service shall not be able to directly identify the digital euro users on the basis of the information provided to the fraud detection and prevention mechanism. ***When implementing these technical and organisational measures, the payment service providers should take into account principles of data protection by design and by default and storage limitation, as defined in Regulation (EU) 2016/679.***

Or. en

Amendment 135

Ondřej Kovařík

Proposal for a regulation

Article 32 – paragraph 4

Text proposed by the Commission

4. For the purpose of this Article,

Amendment

4. For the purpose of this Article,

payment service providers shall provide the fraud detection and prevention mechanism with information referred to in Annex 5. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that *the support service shall not be able to directly identify* the digital euro users on the basis of the information provided to the fraud detection and prevention mechanism.

payment service providers shall provide the fraud detection and prevention mechanism with information referred to in Annex 5. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures, *as defined in the article 4(5) of the Regulation 2016/679*, to ensure that the digital euro users *are not directly identified or identifiable natural persons* on the basis of the information provided to the fraud detection and prevention mechanism.

Or. en

Amendment 136 **Cristian Terheş**

Proposal for a regulation **Article 32 – paragraph 4**

Text proposed by the Commission

4. For the purpose of this Article, payment service providers shall provide the fraud detection and prevention mechanism with information referred to in Annex 5. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that the support service shall not be able to directly identify the digital euro users on the basis of the information provided to the fraud detection and prevention mechanism.

Amendment

4. For the purpose of this Article, payment service providers shall provide the fraud detection and prevention mechanism with information referred to in Annex 5. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that the support service shall not be able to directly *or indirectly* identify the digital euro users on the basis of the information provided to the fraud detection and prevention mechanism.

Or. en

Amendment 137 **Cristian Terheş**

Proposal for a regulation **Article 33 – paragraph 1**

Text proposed by the Commission

1. Without prejudice to Article 6 paragraph (7) of Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828, original equipment manufacturers of mobile devices and providers of electronic communication services within the meaning of Article 2 (1) Directive (EU) 2018/1972⁴⁷ shall allow providers of front end services **and providers of European Digital Identity Wallets** effective interoperability with, and access for the purposes of interoperability to, the hardware features and software features necessary for storing and transferring data to process online or offline digital euro transactions, on fair, reasonable and non-discriminatory terms.

⁴⁷ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018, establishing the European Electronic Communications Code, OJ L 17.12.2018, p. 36.

Amendment

1. Without prejudice to Article 6 paragraph (7) of Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828, original equipment manufacturers of mobile devices and providers of electronic communication services within the meaning of Article 2 (1) Directive (EU) 2018/1972⁴⁷ shall allow providers of front end services effective interoperability with, and access for the purposes of interoperability to, the hardware features and software features necessary for storing and transferring data to process online or offline digital euro transactions, on fair, reasonable and non-discriminatory terms.

⁴⁷ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018, establishing the European Electronic Communications Code, OJ L 17.12.2018, p. 36.

Or. en

Justification

The discussion during the shadow meetings on the Digital Identity Wallets was that this system will not be used for Digital Euro

Amendment 138
Domènec Ruiz Devesa

Proposal for a regulation
Article 33 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. For the purpose of fraud detection and prevention, payment service providers

and the European Central Bank shall take into account the principles of data protection by design and by default, as defined in Regulation (EU) 2016/679 ensuring that the processing of personal data is carried out in such a manner that the personal data can no longer be attributed to an individual digital euro user without the use of additional information

Or. en

Amendment 139
Ondřej Kovařík

Proposal for a regulation
Article -34 (new)

Text proposed by the Commission

Amendment

Article-34

1. Transaction data shall only be processed for the purposes described in Articles 34, 35, 36, 37. Processing of transaction data shall respect the principles of data minimisation, and data protection by design and by default and shall be carried out in such a manner that the personal transaction data can not be attributed to an individual without the use of additional information in accordance with Regulation (EU) 2016/679.

2. The user shall be informed at the earliest point in time or at the latest when the investigation is concluded about account reidentification without the user's consent that was conducted by the fraud detection unit, the anti-money laundering unit, the ECB or any other EU law enforcement entity or public agency.

Or. en

Amendment 140

Domènec Ruiz Devesa

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Payment service providers perform a task in the public interest ***where they process personal data for*** the following purposes:

Amendment

Payment service providers ***shall process personal data solely where they*** perform a task in the public interest ***that are limited to*** the following purposes, ***nd for which the processing of personal data under indent (a) to (c) are to be performed on the basis of (Article 6(1)(c) GDPR).***

Or. en

Amendment 141

Emil Radev

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Payment service providers perform a task in the public interest where they process personal data for the following purposes:

Amendment

Payment service providers perform a task in the public interest, ***in accordance with Article 6(1)(e) of Regulation 2016/679,*** where they process personal data for the following purposes:

Or. en

Amendment 142

Cristian Terheş

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Payment service providers perform a task ***in the public interest*** where they process personal data for the following purposes:

Amendment

Payment service providers perform a task ***on the basis of a legal obligation in accordance with Article 6(1)(c) GDPR*** where they process personal data for the following purposes:

Amendment 143

Ondřej Kovařík

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Payment service providers perform a task in ***the public interest*** where they process personal data for the following purposes:

Amendment

Payment service providers perform a task in ***accordance with article 6(1) (c) of the Regulation (EU) 2016/679*** where they process personal data for the following purposes:

Or. en

Amendment 144

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Payment service providers ***perform a task in the public interest*** where they process personal data for the following purposes:

Amendment

Payment service providers ***comply with a legal obligation*** where they process personal data ***that is strictly necessary*** for the following purposes:

Or. en

Justification

*Appropriate legal basis under Art. 6(1)(c) GDPR, since PSPs are not public authorities.
EDPB para 71*

Amendment 145

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the enforcement of limits, including the verification of whether prospective or existing digital euro users have digital euro accounts with another PSP, as referred to in Article 16;

deleted

Or. en

Justification

No limits, like cash

Amendment 146

Domènec Ruiz Devesa

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the enforcement of limits, including the verification of whether prospective or existing digital euro users have digital euro accounts with another PSP, as referred to in Article 16;

(a) the verification of whether prospective or existing digital euro users have digital euro accounts with another PSP, as referred to in Article 16 *for the purposes of enforcement of limits*

Or. en

Amendment 147

Cristian Terheş

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the enforcement of limits, including the verification of whether prospective or existing digital euro users have digital euro accounts with another PSP, as referred to in Article 16;

(a) the enforcement of limits, the verification of whether prospective or existing digital euro users have digital euro accounts with another PSP, as referred to in Article 16;

Or. en

Amendment 148

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) ***the provision of offline digital euro, including the registration and de-registration of the local storage devices as referred to in letter (b) of Annex I;*** ***deleted***

Or. en

Amendment 149

Domènec Ruiz Devesa

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) ***the provision of offline digital euro, including*** the registration and de-registration of the local storage devices as referred to in letter (b) of Annex I; (c) the registration and de-registration of the local storage devices as referred to in letter (b) of Annex I ***for the provision of offline digital euro***

Or. en

Amendment 150

Cristian Terheş

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) the provision of offline digital euro, ***including*** the registration and de-registration of the local storage devices as referred to in letter (b) of Annex I; (c) the provision of offline digital euro, the registration and de-registration of the local storage devices as referred to in letter (b) of Annex I;

Amendment 151

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By derogation from the Regulation (EU) [please insert reference – proposal for a Regulation on payment services in the internal market and amending Regulation (EU) No 1093/2010 - COM(2023) 367 final], personal data on digital euro accounts shall not be used, accessed or stored by third parties.

Or. en

Justification

The purposes of processing should be limited to legal obligations and there should not be further processing for other purposes and no data sharing with third parties (open banking).

Amendment 152

Cristian Terheş

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

For low value online digital euro payment transactions, the processing of personal data by payment service providers shall occur only within the limits and purposes laid out in Article 37.

Or. en

Amendment 153

Ondřej Kovařík

Proposal for a regulation

Article 34 – paragraph 1 – subparagraph 2

Text proposed by the Commission

For the provision of offline digital euro, the processing of personal data by payment service providers is limited to funding and defunding in accordance with Article 37 paragraphs 3, 4 and 5.

Amendment

For the provision of offline digital euro, the processing of personal data by payment service providers is limited to funding and defunding in accordance with Article 37 paragraphs 3, 4 and 5.

In case payment service providers use data they processed for profiling or other activities that do not fall under the purposes of articles 34, 35, 36, 37 or are retained longer than it is legally permitted, the sanction regime of the Regulation (EU) 2016/679 applies.

Or. en

Amendment 154

Cristian Terheş

Proposal for a regulation

Article 34 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. For any other processing activity that the payment service provider carries out regarding the provision of the digital euro, the processing will be based on the performance of a contract between the digital euro user and the payment service provider. In the event that the processing involves special categories of personal data, then it shall be necessary to obtain consent from the data subject

Or. en

Justification

This paragraph is intended to be the new para 2; the proposal's para 2 would become para 3 and so forth;

Amendment 155
Domènec Ruiz Devesa

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. For the purposes referred to in paragraph 1 (a) to (c), of this Article, Annex III lays down the types of personal data.

Amendment

2. For the purposes referred to in paragraph 1 (a) to (c), of this Article, Annex III lays down the types of personal data ***that can be processed***

Or. en

Amendment 156
Emil Radev

Proposal for a regulation
Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The Commission is empowered to adopt delegated acts in accordance with Article 38 to clarify the purposes of processing personal data by the payment service providers in paragraph 1 (a) and (c) of this Article, in order to come to a complete and closed list of purposes for processing personal data in this paragraph.

Or. en

Amendment 157
Cristian Terheş

Proposal for a regulation
Article 34 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data

deleted

listed in Annex III.

Or. en

Amendment 158

Emil Radev

Proposal for a regulation

Article 34 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data listed in Annex III.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data listed in Annex III, ***in order to come to a complete and closed list of personal data to be processed for the stated purpose.***

Or. en

Amendment 159

Cristian Terheş

Proposal for a regulation

Article 34 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Payment service providers shall be considered to be the controllers of personal data as regards the purposes referred to in paragraph 1 of this Article. Where a digital euro payment account held by one payment service provider is linked with a non-digital euro payment account held by another payment service provider in accordance with Article 13(4), these payment service providers shall be joint controllers.

Amendment

deleted

Or. en

Amendment 160

Emil Radev

Proposal for a regulation
Article 34 – paragraph 4

Text proposed by the Commission

4. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that any data communicated to the European Central Bank and the national central banks or to providers of support services do not directly identify individual digital euro users.

Amendment

4. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that any data communicated to the European Central Bank and the national central banks or to providers of support services do not directly identify individual digital euro users. ***In particular, such measures should ensure that personal data are pseudonymised in such a manner that these data can no longer be attributed by the European Central Bank or the national central banks to an individual digital euro user without the use of additional information. More broadly, when implementing these technical and organisational measures, payment service providers shall take into account principles of data protection by design and by default, as defined in Regulation (EU) 2016/679.***

Or. en

Amendment 161

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 34 – paragraph 4

Text proposed by the Commission

4. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that any data communicated to the European Central

Amendment

4. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that any data communicated to the European Central

Bank and the national central banks or to providers of support services ***do not*** directly ***identify*** individual digital euro users.

Bank and the national central banks or to providers of support services ***can no longer be*** directly ***and indirectly attributed to*** individual digital euro users ***without the use of additional information***.

Or. en

Justification

EDPB para 78

Amendment 162
Cristian Terheş

Proposal for a regulation
Article 34 – paragraph 4

Text proposed by the Commission

4. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that any data communicated to the European Central Bank and the national central banks or to providers of support services do not directly identify individual digital euro users.

Amendment

4. Payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that any data communicated to the European Central Bank and the national central banks or to providers of support services do not directly ***or indirectly*** identify individual digital euro users.

Or. en

Amendment 163
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 34 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. This Article is without prejudice to additional services developed and provided by payment service providers on top of basic digital euro payment services,

for which Article 6(1)(a) or (b) of Regulation (EU) 2016/679 would apply, considering that these services are subject to Directive (EU) 2015/2366.

Or. en

Justification

Additional services offered by PSPs have to rely on consent or contract under the GDPR and are subject to the Directive on payment services in the internal market. EDPB 73

Amendment 164
Domènec Ruiz Devesa

Proposal for a regulation
Article 34 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. The European Data Protection Board, after consulting the European Central Bank, shall issue guidelines on the implementation of appropriate technical and organisation measures including of anonymisation techniques

Or. en

Amendment 165
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 34 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4 b. For the purpose of authentication and identification and in line with the principles of data minimisation and privacy by design and by default as laid down in 2016/679/EU, payment service providers shall provide by default authentication and identification methods which do not rely on biometric data.

Justification

To limit the use of sensitive personal data, in this case biometric data, authentication and identification shall work by default without the use of biometric data.

Amendment 166

Domènec Ruiz Devesa

Proposal for a regulation

Article 34 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4 b. No further processing of personal data shall be allowed.

Or. en

Amendment 167

Domènec Ruiz Devesa

Proposal for a regulation

Article 34 – paragraph 4 c (new)

Text proposed by the Commission

Amendment

4 c. For the purpose of authentication and identification, and in line with the principles of data minimisation and data protection by design and by default as laid down in 2016/679/EU, payment service providers shall provide, by default, authentication and identification methods that do not rely on biometric data

Or. en

Amendment 168

Cristian Terheş

Proposal for a regulation

Article 34 a (new)

Article 34a

Payment Service Providers, the European Central bank and national central banks shall implement appropriate technical and organisational measures to ensure that the processing of personal data is carried out in such a manner that the personal data can no longer be attributed to an individual digital euro user without the use of additional information in accordance with Article 4 (5) GDPR.

Or. en

Amendment 169

Cristian Terheş

Proposal for a regulation

Article 35 – paragraph 1 – introductory part

Text proposed by the Commission

1. The European Central Bank and the national central banks perform a task in the public interest or exercise official authority where they process personal data for the following purposes:

Amendment

1. The European Central Bank and the national central banks perform a task in the public interest or exercise official authority, ***on the basis of Article 6.(1).(e) Regulation 2016/679 or Article 5.(1).(a) 2018/1725***, where they process personal data for the following purposes:

Or. en

Amendment 170

Emil Radev

Proposal for a regulation

Article 35 – paragraph 1 – introductory part

Text proposed by the Commission

1. The European Central Bank and the national central banks perform a task in the public interest or exercise official authority where they process personal data for the

Amendment

1. The European Central Bank and the national central banks perform a task in the public interest or exercise official authority, ***in accordance with Article***

following purposes:

6(1)(e) of Regulation 2016/679, where they process personal data for the following purposes:

Or. en

Amendment 171

Domènec Ruiz Devesa

Proposal for a regulation

Article 35 – paragraph 1 – introductory part

Text proposed by the Commission

1. The European Central Bank and the national central banks perform a task in the public interest or exercise official authority where they process personal data for the following purposes:

Amendment

1. The European Central Bank and the national central banks perform a task in the public interest or exercise official authority where they **may** process personal data for the following purposes:

Or. en

Amendment 172

Cristian Terheş

Proposal for a regulation

Article 35 – paragraph 1 – point c

Text proposed by the Commission

(c) safeguarding the security and integrity of the digital euro settlement infrastructure **and of local storage devices**;

Amendment

(c) safeguarding the security and integrity of the digital euro settlement infrastructure;

Or. en

Amendment 173

Cristian Terheş

Proposal for a regulation

Article 35 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

These shall be the only activities that the ECB and the national central banks will be able to carry out within the context of this Proposal

Or. en

Amendment 174
Emil Radev

Proposal for a regulation
Article 35 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data listed in Annex IV.

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data listed in Annex IV, ***in order to come to a complete and closed list of personal data to be processed for the stated purpose.***

Or. en

Amendment 175
Cristian Terheş

Proposal for a regulation
Article 35 – paragraph 4

Text proposed by the Commission

4. Personal data processed for tasks referred to in paragraph 1 shall be supported by appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures. This shall include the clear segregation of personal data to ensure that the European Central Bank and the national central banks cannot directly identify individual digital euro users.

Amendment

4. Personal data processed for tasks referred to in paragraph 1 shall be supported by appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures. This shall include the clear segregation of personal data to ensure that the European Central Bank and the national central banks cannot directly ***or indirectly*** identify individual digital euro users.

The Eurosystem shall be obliged to provide for the segregation of data in the local

*storage device in relation to offline and low-value online transactions.
Transaction data shall be isolated and shall not be exported out of the device.*

Or. en

Amendment 176
Domènec Ruiz Devesa

Proposal for a regulation
Article 35 – paragraph 4

Text proposed by the Commission

4. Personal data processed for tasks referred to in paragraph 1 shall be supported by appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures. This shall include the clear segregation of personal data to ensure that the European Central Bank and the national central banks cannot directly identify individual digital euro users.

Amendment

4. Personal data processed for tasks referred to in paragraph 1 shall be supported by appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures. This shall include the clear segregation of personal data to ensure that the European Central Bank and the national central banks cannot directly ***or indirectly*** identify individual digital euro users.

Or. en

Amendment 177
Domènec Ruiz Devesa

Proposal for a regulation
Article 35 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Providers of support services designated under this Article shall be subject to the Directive and Regulation on digital operational resilience for the financial sector

Or. en

Amendment 178

Cristian Terheş

Proposal for a regulation

Article 35 – paragraph 5

Text proposed by the Commission

5. The European Central Bank shall be considered the controller of personal data under as regards to the purposes referred to in paragraphs 1 and 8 of this Article. When the European Central Bank carries out a task referred to in paragraphs 1 and 8 jointly with the national central banks, they shall be joint controllers for that task.

Amendment

5. The European Central Bank shall be considered the controller of personal data under as regards to the purposes referred to in paragraphs 1 and 8 of this Article. When the European Central Bank carries out a task referred to in paragraphs 1 and 8 jointly with the national central banks, they shall be joint controllers for that task.

The European Central Bank and the national central banks will be data controllers jointly with the payment service providers and support service providers.

Or. en

Amendment 179

Domènec Ruiz Devesa

Proposal for a regulation

Article 35 – paragraph 5

Text proposed by the Commission

5. The European Central Bank shall be considered the controller of personal data ***under*** as regards to the purposes referred to in paragraphs 1 and 8 of this Article. When the European Central Bank carries out a task referred to in paragraphs 1 and 8 jointly with the national central banks, they shall be joint controllers for that task.

Amendment

5. The European Central Bank shall be considered the controller of personal data as regards to the purposes referred to in paragraphs 1 and 8 of this Article. When the European Central Bank carries out a task referred to in paragraphs 1 and 8 jointly with the national central banks, they shall be joint controllers for that task.

Or. en

Amendment 180

Domènec Ruiz Devesa

Proposal for a regulation

Article 35 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. European Central Bank shall, in cooperation with Payment Service Providers, take all necessary measures to ensure the effectiveness of data subjects' rights under the General Data Protection Regulation

Or. en

Amendment 181

Cristian Terheş

Proposal for a regulation

Article 35 – paragraph 7

Text proposed by the Commission

Amendment

7. Where the European Central Bank decides not to confer tasks referred to in Articles 27 and 32 upon providers of support services, the European Central Bank may process the types of personal data referred to in Annex 5 subject to the requirements referred to in paragraph 4 of this Article.

7. Where the European Central Bank decides not to confer tasks referred to in Articles 27 and 32 upon providers of support services, the European Central Bank may process the types of personal data referred to in Annex 5 subject to the requirements referred to in paragraph 4 of this Article.

Moreover, the European Central bank and national central banks shall implement appropriate technical and organisational measures to ensure that the processing of personal data is carried out in such a manner that the personal data can no longer be attributed to an individual digital euro user without the use of additional information in accordance with Article 4 (5) GDPR.

Or. en

Justification

In order to ensure that the European Central Bank, PSPs and national central banks cannot

easily identify individual digital euro users with data from the fraud prevention mechanism, the article needs to be compliant with the definition of pseudonymisation in Article 4(5) GDPR. Moreover, there must be a clear segregation of personal data in order to make it impossible for the Eurosystem to directly identify individual digital euro users.

Amendment 182

Emil Radev

Proposal for a regulation

Article 35 – paragraph 7

Text proposed by the Commission

7. Where the European Central Bank decides not to confer tasks referred to in Articles 27 and 32 upon providers of support services, the European Central Bank may process the types of personal data referred to in Annex 5 subject to the requirements referred to in paragraph 4 of this Article.

Amendment

7. Where the European Central Bank decides not to confer tasks referred to in Articles 27 and 32 upon providers of support services, the European Central Bank may process the types of personal data referred to in Annex V subject to the requirements referred to in paragraph 4 of this Article.

Or. en

Amendment 183

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 35 – paragraph 8

Text proposed by the Commission

8. For purpose of ***supporting the task of payment service providers to enforce the holding limits in accordance to Article 16(1) and*** ensuring the emergency switching upon the request of the user in accordance with Article 31(2), the ECB may alone or jointly with national central banks establish a ***single access point of digital euro user identifiers and the related digital euro holding limits as referred to in point (4) of Annex 4***. The European Central Bank shall implement appropriate technical and organisational

Amendment

8. For purpose of ensuring the emergency switching upon the request of the user in accordance with Article 31(2), the ECB may alone or jointly with national central banks establish a ***decentralised system based on secure multi-party computation***. The European Central Bank shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that the identity of individual digital euro users cannot be inferred from the information accessed via

measures including state-of-the-art security and privacy-preserving measures to ensure that the identity of individual digital euro users cannot be inferred from the information accessed via the single access point by entities other than payment service providers whose customer or potential customer is the digital euro user.

the single access point by entities other than payment service providers whose customer or potential customer is the digital euro user.

Or. en

Justification

Follow-up to deletion of Art 16 and decentralised system according to EDPB para 40

Amendment 184

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 36 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers perform a task in the public interest, **where they process personal data for** the following purposes:

Amendment

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers ***shall solely process personal data where they*** perform a task in the public interest ***pursuant to Article 6(1)(e) of Regulation (EU) 2016/679, which are limited to*** the following purposes:

Or. en

Justification

EDPB para 87

Amendment 185

Emil Radev

Proposal for a regulation

Article 36 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers perform a task in the public interest, where they process personal data for the following purposes:

Amendment

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers perform a task in the public interest, ***in accordance with Article 6(1)(e) of Regulation 2016/679***, where they process personal data for the following purposes:

Or. en

Amendment 186

Cristian Terheş

Proposal for a regulation

Article 36 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers perform a task in the public interest, where they process personal data for the following purposes:

Amendment

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers perform a task in the public interest, ***relying on Article 6.1.(e) Regulation 2016/679***, where they process personal data for the following purposes:

Or. en

Amendment 187

Domènec Ruiz Devesa

Proposal for a regulation

Article 36 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers perform a task in the public interest, ***where they process personal data for*** the following purposes:

Amendment

1. Where the European Central Bank decides to confer tasks referred to in Article 27 and 32 upon providers of support services, providers of support services shall provide payment-related services across PSPs. In such a situation, payment service providers ***shall solely process personal data where they*** perform a task in the public interest, ***limited to*** the following purposes:

Or. en

Amendment 188

Emil Radev

Proposal for a regulation

Article 36 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data listed in Annex V.

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 38 to update the types of personal data listed in Annex V, ***in order to come to a complete and closed list of personal data to be processed for the stated purpose.***

Or. en

Amendment 189

Cristian Terheş

Proposal for a regulation

Article 36 – paragraph 4

Text proposed by the Commission

4. The processing of personal data for the purposes referred to in paragraph 1 shall only take place when appropriate technical and organisational measures including state-of-the-art security and

Amendment

4. The processing of personal data for the purposes referred to in paragraph 1 shall only take place when appropriate technical and organisational measures including state-of-the-art security and

privacy-preserving measures are implemented to ensure that the providers of support services cannot directly identify individual digital euro users.

privacy-preserving measures are implemented to ensure that the providers of support services cannot directly *or indirectly* identify individual digital euro users.

Or. en

Amendment 190
Patrick Breyer

Proposal for a regulation
Article 36 – paragraph 4

Text proposed by the Commission

4. The processing of personal data for the purposes referred to in paragraph 1 shall only take place when appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures are implemented to ensure that the providers of support services cannot directly identify individual digital euro users.

Amendment

4. The processing of personal data for the purposes referred to in paragraph 1 shall only take place when appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures are implemented to ensure that the providers of support services cannot directly *or indirectly* identify individual digital euro users.

Or. en

Amendment 191
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 36 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Providers of support services designated under this Article shall be subject to [the Directive and Regulation on digital operational resilience for the financial sector].

Or. en

Justification

Support services will deal with sensitive personal data when managing disputes or fraud. Consumer personal data must be kept secure and therefore support services should be subject to EU legislation on digital operational resilience (DORA)

Amendment 192

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 36 – paragraph 5

Text proposed by the Commission

Amendment

5. *The providers of support services shall be considered to be the controllers of personal data as regards the purposes referred to in paragraph 1 of this Article. This paragraph is without prejudice to the European Central Bank and the national central banks appointing the operators of any payment-related services across PSPs and auditing of the service performance level without processing any personal data.* ***deleted***

Or. en

Justification

EDPB para 84: "the co-legislators are invited to remove from Article 36(5) the qualification of the PSSs as controller in all cases, such qualification having to be assessed at a later stage in the light of the actual tasks entrusted by the ECB to the PSSs in relation to Articles 27 and 32 of the Proposal, as well as the EDPB's and EDPS's guidance on the concepts of controller and processor"

Amendment 193

Ondřej Kovařík

Proposal for a regulation

Article 36 a (new)

Text proposed by the Commission

Amendment

Article 36a

1. The digital euro user shall be in full control of the European digital identity wallets and personal data. The technical architecture shall prevent the issuer of the digital euro, the European Central Bank, National Central Banks, National Competent Authorities, Payment Service Providers and Providers of support services to collect or obtain information about the usage of digital euro by individuals unless the explicit consent of the digital euro user is given.

2. By default the processing of personal data shall not permit tracking, linking, correlating or otherwise obtaining knowledge of transactions or user behavior in the case of explicit consent being given. Those personal data relating to the provision of the digital euro shall be kept physically and logically separate from any other data held.

Or. en

Amendment 194
Cristian Terheş

Proposal for a regulation
Article 36 a (new)

Text proposed by the Commission

Amendment

Article 36a

The digital euro user shall be in full control of the digital euro wallet and their data. The technical architecture shall make it impossible for the issuer of the digital euro front- and backend or third-party services connected to them or the European Central Bank, National Competent Authorities or Payment Service Providers to collect or obtain information about the usage. The processing of transaction data shall not allow to track, link, correlate or otherwise obtain knowledge of transactions or user behavior. Personal data relating to the

provision of the digital euro shall be kept physically and logically separate from any other data held.

Or. en

Amendment 195

Cristian Terheş

Proposal for a regulation

Article 36 b (new)

Text proposed by the Commission

Amendment

Article 36b

1. Data about payment transactions of the digital euro shall only be processed for purposes contained in an exhaustive list and not for commercial purposes or shared with third parties within the open banking framework.

2. The only purposes for which payment data shall be processed are those described in Articles 34-37.

3. In the case a user of the digital euro is reidentified based on pseudonymous data without their consent by the fraud detection unit, the anti-money laundering unit, the ECB or any other law enforcement or public agency, that user has to be informed about their re-identification and its circumstances at the earliest point in time or at the latest when the investigation is concluded.

Or. en

Amendment 196

Cristian Terheş

Proposal for a regulation

Article 37 – title

Text proposed by the Commission

Amendment

Anti-money laundering rules applying to
offline digital euro payment transactions

Anti-money laundering rules applying to
low-value online and offline digital euro
payment transactions

Or. en

Amendment 197

Cristian Terheş

Proposal for a regulation

Article 37 – paragraph 1

Text proposed by the Commission

1. Payment services providers shall
apply paragraphs 2 to 6 to offline digital
euro payment transactions.

Amendment

1. Payment services providers shall
apply paragraphs 2 to 6 to ***low value online
digital euro payment transactions and***
offline digital euro payment transactions.

Or. en

Amendment 198

Cristian Terheş

Proposal for a regulation

Article 37 – paragraph 2

Text proposed by the Commission

2. Transaction data shall not be
retained by payment service providers or
by the European central banks and the
national central banks.

Amendment

2. Transaction data shall not be
processed by payment service providers,
providers of support services or by the
European central banks and the national
central banks.

Or. en

Amendment 199

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 37 – paragraph 2

Text proposed by the Commission

2. Transaction data shall not be ***retained*** by payment service providers or by the European central banks and the national central banks.

Amendment

2. Transaction data shall not be ***accessed, stored or processed*** by payment service providers or by the European central banks and the national central banks.

Or. en

Amendment 200
Domènec Ruiz Devesa

Proposal for a regulation
Article 37 – paragraph 2

Text proposed by the Commission

2. Transaction data shall not be ***retained*** by payment service providers or by the European central banks and the national central banks.

Amendment

2. ***Personal*** transaction data shall not be ***processed*** by payment service providers or by the European central banks and the national central banks.

Or. en

Amendment 201
Ondřej Kovařík

Proposal for a regulation
Article 37 – paragraph 2

Text proposed by the Commission

2. Transaction data shall not be ***retained*** by payment service providers or by the European central banks and the national central banks.

Amendment

2. ***Personal*** transaction data shall not be ***processed*** by payment service providers or by the European central banks and the national central banks.

Or. en

Amendment 202
Emil Radev

Proposal for a regulation

Article 37 – paragraph 2

Text proposed by the Commission

2. Transaction data shall not be **retained** by payment service providers or by the European central **banks** and the national central banks.

Amendment

2. Transaction data shall not be **processed** by payment service providers or by the European Central **Bank** and the national central banks.

Or. en

Amendment 203

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 37 – paragraph 3

Text proposed by the Commission

Amendment

3. ***Payment service providers shall retain data of funding and defunding for storing digital euros on payment instruments in accordance with Article 40 of Directive (EU) 2015/849 and national provisions transposing that Article. Payment service providers shall, upon request, make those data available to the Financial Intelligence Unit and other competent authorities as referred in Article 2(31) of Regulation [please insert reference – proposal for Anti-Money Laundering Regulation - COM/2021/420 final].***

deleted

Or. en

Justification

Article 40 of Directive (EU) 2015/849 only applies to obliged entities such as banks, not to cash transactions in general. The same should apply to offline digital euro payments

Amendment 204

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 37 – paragraph 4

Text proposed by the Commission

Amendment

4. For the purposes of paragraph 3, the funding and defunding data means the following: *deleted*

(a) the amount funded or defunded;

(b) the identifier of the local storage device for offline digital euro payment;

(c) the date and hour of the funding and defunding transaction;

(d) the accounts numbers used for funding and defunding.

Or. en

Justification

following deletion of para 3

Amendment 205

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 37 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission is empowered to adopt implementing acts setting offline digital euro payment transaction limits and holding limits. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39. *deleted*

Or. en

Justification

For cash there are no holding or transaction limits imposed by EU law, either

Amendment 206
Domènec Ruiz Devesa

Proposal for a regulation
Article 37 – paragraph 5

Text proposed by the Commission

5. The Commission is empowered to adopt **implementing** acts setting offline digital euro payment transaction limits and holding limits. Those **implementing** acts shall be adopted in accordance with the **examination** procedure referred to in Article 39.

Amendment

5. The Commission is empowered to adopt **delegated** acts setting offline digital euro payment transaction limits and holding limits. Those **delegated** acts shall be adopted in accordance with the procedure referred to in Article 38.

Or. en

Amendment 207
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 37 – paragraph 6

Text proposed by the Commission

6. **Transaction and holding limits shall take into account the need to prevent money laundering and terrorist financing while not unduly restricting the use of the offline digital euro as a means of payment. The Commission, when drawing up the implementing acts referred to in paragraph 5, shall take into account in particular the following:**

(a) an assessment of the money laundering and terrorist financing threats, vulnerabilities and risks of the digital euro when funding and defunding their payment instrument;

(b) relevant recommendations and reports drawn up by international organisations and standard setters with competence in the field of preventing money laundering and combating terrorist financing;

Amendment

deleted

(c) the objective of ensuring the usability and acceptance of the digital euro as a legal tender instrument.

For the purposes of point (a), the Commission may request AMLA to adopt an opinion assessing the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission may consult the European Data Protection Board.

Or. en

Justification

For cash there are no holding or transaction limits imposed by EU law, either

Amendment 208

Domènec Ruiz Devesa

Proposal for a regulation

Article 37 – paragraph 6 – subparagraph 1 – introductory part

Text proposed by the Commission

Transaction and holding limits shall take into account the need to prevent money laundering and terrorist financing while not unduly restricting the use of the offline digital euro as a means of payment. The Commission, when drawing up the **implementing** acts referred to in paragraph 5, shall take into account in particular the following:

Amendment

Transaction and holding limits shall take into account the need to prevent money laundering and terrorist financing while not unduly restricting the use of the offline digital euro as a means of payment. The Commission, when drawing up the **delegated** acts referred to in paragraph 5, shall take into account in particular the following:

Or. en

Amendment 209

Emil Radev

Proposal for a regulation

Article 37 – paragraph 6 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the objective of preserving the right to the protection of personal data and privacy in carrying out payments.

Or. en

Amendment 210

Cristian Terheş

Proposal for a regulation

Article 37 – paragraph 6 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) (d) the objective of introducing a payment instrument offering a similar level of privacy than cash.

Or. en

Amendment 211

Emil Radev

Proposal for a regulation

Article 37 – paragraph 6 – subparagraph 2

Text proposed by the Commission

Amendment

For the purposes of point (a), the Commission ***may request AMLA to adopt an opinion assessing*** the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission may consult the European Data Protection Board.

For the purposes of point (a), the Commission ***shall consult AMLA, which shall assess*** the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission may ***also*** consult the European Data Protection Board. ***For the purposes of point (d), the Commission shall consult the European Data Protection Supervisor, in accordance with Regulation (EU) 2018/1725.***

Or. en

Amendment 212

Ondřej Kovařík

Proposal for a regulation

Article 37 – paragraph 6 – subparagraph 2

Text proposed by the Commission

For the purposes of point (a), the Commission may request AMLA to adopt an opinion assessing the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission **may** consult the European Data Protection Board.

Amendment

For the purposes of point (a), the Commission may request AMLA to adopt an opinion assessing the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission **shall** consult the European Data Protection Board **prior to adopting implementing acts as referred to in paragraph 5.**

Or. en

Amendment 213

Domènec Ruiz Devesa

Proposal for a regulation

Article 37 – paragraph 6 – subparagraph 2

Text proposed by the Commission

For the purposes of point (a), the Commission may request AMLA to adopt an opinion assessing the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission **may** consult the European Data Protection Board.

Amendment

For the purposes of point (a), the Commission may request AMLA to adopt an opinion assessing the level of money laundering and terrorist financing threats associated with the offline digital euro and its vulnerabilities. The Commission **shall** consult the European Data Protection Board.

Or. en

Amendment 214

Domènec Ruiz Devesa

Proposal for a regulation

Chapter X – title

Text proposed by the Commission

Amendment

Amendment 215**Emil Radev****Proposal for a regulation****Article 38 – paragraph 2***Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Articles 11, **33, 34 and 35** shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Amendment

2. The power to adopt delegated acts referred to in Articles 11, **34, 35 and 36** shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Amendment 216**Emil Radev****Proposal for a regulation****Article 38 – paragraph 3***Text proposed by the Commission*

3. The power to adopt the delegated acts referred to in Articles 11, **33, 34 and 35** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The power to adopt the delegated acts referred to in Articles 11, **34, 35 and 36** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 217

Domènec Ruiz Devesa

Proposal for a regulation

Article 38 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. When adopting delegated acts pursuant to Article 34 or Article 35 of this Regulation, the European Commission shall consult the European Data Protection Supervisor and European Data Protection Board as laid down in Article 42 of the Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Or. en

Amendment 218

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 38 – paragraph 4

Text proposed by the Commission

Amendment

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

4. Before adopting a delegated act, the Commission shall consult **the European Data Protection Supervisor pursuant to Article 42 of Regulation (EU) 2018/1725** and experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Or. en

Justification

EDPB para 99

Amendment 219

Emil Radev

Proposal for a regulation

Article 38 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 11, **33, 34 and 35** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of one month of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles 11, **34, 35 and 36** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of one month of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 220

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – paragraph 1 – point a

Text proposed by the Commission

(a) opening, holding **and** closing of a digital euro payment account;

Amendment

(a) opening, holding, closing **and switching** of a digital euro payment account;

Or. en

Amendment 221

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – paragraph 1 – point c

Text proposed by the Commission

(c) ***non-automated*** funding and defunding from a non-digital euro payment account;

Amendment

(c) funding and defunding from a non-digital euro payment account;

Or. en

Amendment 222

Cristian Terheş

Proposal for a regulation

Annex II – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) Offline digital euro payment transactions;

Or. en

Amendment 223

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – paragraph 1 – point e – introductory part

Text proposed by the Commission

Amendment

(e) initiation and reception of digital euro payment transactions by means of an electronic payment instrument, to the exclusion of conditional digital euro payment transactions other than standing orders, in the following use cases:

(e) initiation and reception of digital euro payment transactions by means of an electronic payment instrument, to the exclusion of conditional digital euro payment transactions other than standing orders ***and direct debits***, in the following use cases:

Or. en

Amendment 224

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(g a) access to the dispute mechanism as laid down Article 27.

Or. en

Justification

Dispute mechanisms should be offered free of charge to consumers as it is currently the case for other payment systems.

Amendment 225

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – paragraph 1 – point g b (new)

Text proposed by the Commission

Amendment

(g b) digital inclusion support as laid down in Article 14.

Or. en

Justification

Consumers should not be obliged to pay for getting advice on how to use the digital euro.

Amendment 226

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 1 – introductory part

Text proposed by the Commission

Amendment

1. For the purpose of point (a) of Article 34(1), processing shall be limited to:

1. For the purpose of point (a) of Article 34(1), processing **of personal data** shall be limited to:

Amendment 227

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 1 – point iii

Text proposed by the Commission

(iii) ***information on digital euro payment accounts; including*** information on digital euro holdings of the digital euro user and the unique digital euro payment account number; and

Amendment

(iii) information on digital euro holdings of the digital euro user and the unique digital euro payment account number; and

Or. en

Amendment 228

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 1 – point iii

Text proposed by the Commission

(iii) ***information on digital euro payment accounts; including*** information on digital euro holdings of the digital euro user and the unique digital euro payment account number; and

Amendment

(iii) information on digital euro holdings of the digital euro user and the unique digital euro payment account number; and

Or. en

Amendment 229

Cristian Terheş

Proposal for a regulation

Annex III – point 1 – point iii

Text proposed by the Commission

(iii) information on digital euro payment accounts; ***including*** information

Amendment

(iii) information on digital euro payment accounts, ***meaning*** information

on digital euro holdings of the digital euro user and the unique digital euro payment account number; and

on digital euro holdings of the digital euro user and the unique digital euro payment account number; and

Or. en

Justification

The exact type of data PSPs are processing should be stipulated. The word “including” is contradictory to the phrase in the first sentence of the annex “processing shall be limited to”, this is why it needs to be changed to ensure that the list of processing activities is exhaustive. Moreover, the personal data required and the respective definitions of the terms have to be clear, otherwise the proposal is not consistent.

Amendment 230

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 1 – point iv

Text proposed by the Commission

(iv) ***information on online digital euro payment transactions, including*** the transaction identifier and the transaction amount.

Amendment

(iv) the transaction identifier and the transaction amount.

Or. en

Amendment 231

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 1 – point iv

Text proposed by the Commission

(iv) ***information on online digital euro payment transactions, including*** the transaction identifier and the transaction amount.

Amendment

(iv) the transaction identifier and the transaction amount.

Or. en

Amendment 232

Cristian Terheş

Proposal for a regulation

Annex III – point 1 – point iv

Text proposed by the Commission

(iv) information on online digital euro payment transactions, ***including*** the transaction identifier and the transaction amount.

Amendment

(iv) information on online digital euro payment transactions, ***meaning*** the transaction identifier and the transaction amount.

Or. en

Amendment 233

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 2 – introductory part

Text proposed by the Commission

2. For the purpose of point (b) of Article 34(1), processing shall be limited to:

Amendment

2. For the purpose of point (b) of Article 34(1), processing ***of personal data*** shall be limited to:

Or. en

Amendment 234

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 2 – point iii

Text proposed by the Commission

(iii) ***information on digital euro payment accounts, including*** the unique digital euro payment account number; and

Amendment

(iii) the unique digital euro payment account number; and

Or. en

Amendment 235

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex III – point 2 – point iii

Text proposed by the Commission

(iii) **information on digital euro payment accounts, including** the unique digital euro payment account number; and

Amendment

(iii) the unique digital euro payment account number; and

Or. en

Amendment 236
Cristian Terheş

Proposal for a regulation
Annex III – point 2 – point iii

Text proposed by the Commission

(iii) information on digital euro payment accounts, **including** the unique digital euro payment account number; and

Amendment

(iii) information on digital euro payment accounts, **meaning** the unique digital euro payment account number; and

Or. en

Amendment 237
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex III – point 2 – point iv

Text proposed by the Commission

(iv) **information of non-digital euro payment accounts, including** the account number of the linked non-digital euro payment account.

Amendment

(iv) the account number of the linked non-digital euro payment account.

Or. en

Amendment 238
Domènec Ruiz Devesa

Proposal for a regulation
Annex III – point 2 – point iv

Text proposed by the Commission

(iv) **information of non-digital euro payment accounts, including** the account number of the linked non-digital euro payment account.

Amendment

(iv) the account number of the linked non-digital euro payment account.

Or. en

Amendment 239
Cristian Terheş

Proposal for a regulation
Annex III – point 2 – point iv

Text proposed by the Commission

(iv) information of non-digital euro payment accounts, **including** the account number of the linked non-digital euro payment account.

Amendment

(iv) information of non-digital euro payment accounts, **meaning** the account number of the linked non-digital euro payment account.

Or. en

Amendment 240
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex III – point 3

Text proposed by the Commission

3. For the purpose of point (c) of Article 34(1), processing shall be limited to:

(i) the user identifier; including the name of the local storage device holders; and

(ii) information on the local storage device, including the identifier of the local

Amendment

deleted

storage device.

Or. en

Justification

follow-up to deletion of Article 34(1) point (c)

Amendment 241

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 3 – introductory part

Text proposed by the Commission

3. For the purpose of point (c) of Article 34(1), processing shall be limited to:

Amendment

3. For the purpose of point (c) of Article 34(1), processing *of personal data* shall be limited to:

Or. en

Amendment 242

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 3 – point i

Text proposed by the Commission

(i) *the user identifier; including* the name of the local storage device holders; and

Amendment

(i) the name of the local storage device holders; and

Or. en

Amendment 243

Cristian Terheş

Proposal for a regulation

Annex III – point 3 – point i

Text proposed by the Commission

(i) the user identifier; *including* the

Amendment

(i) the user identifier *and* the name of

name of the local storage device holders;
and

the local storage device holders; and

Or. en

Amendment 244

Domènec Ruiz Devesa

Proposal for a regulation

Annex III – point 3 – point ii

Text proposed by the Commission

(ii) ***information on the local storage device, including*** the identifier of the local storage device.

Amendment

(ii) the identifier of the local storage device.

Or. en

Amendment 245

Cristian Terheş

Proposal for a regulation

Annex III – point 3 – point ii

Text proposed by the Commission

(ii) information on the local storage device, ***including*** the identifier of the local storage device.

Amendment

(ii) information on the local storage device, ***meaning*** the identifier of the local storage device.

Or. en

Amendment 246

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 3 a (new)

Text proposed by the Commission

Amendment

3 a. For the purpose of point (d) of Article 34(1), processing shall be limited

to:

(i) ###

Or. en

Justification

These data categories should also be spelled out. (EDPB para 76)

Amendment 247

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – point 3 b (new)

Text proposed by the Commission

Amendment

3 b. For the purpose of point (e) of Article 34(1), processing shall be limited to:

(i) ###

Or. en

Justification

These data categories should also be spelled out. (EDPB para 76)

Amendment 248

Domènec Ruiz Devesa

Proposal for a regulation

Annex IV – point 1

Text proposed by the Commission

Amendment

1. For the purposes of point (a) Article 35(1), processing shall be limited to: **deleted**

(i) information on digital euro payment accounts, including the unique digital euro payment account number; and

(ii) information on online digital euro payment transactions. information linked

to an unique digital euro payment account number, including the transaction amount.

Or. en

Amendment 249

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex IV – point 1 – point i

Text proposed by the Commission

(i) ***information on digital euro payment accounts, including*** the unique digital euro payment account number; and

Amendment

(i) the unique digital euro payment account number; and

Or. en

Amendment 250

Cristian Terheş

Proposal for a regulation

Annex IV – point 1 – point i

Text proposed by the Commission

(i) information on digital euro payment accounts, ***including*** the unique digital euro payment account number; and

Amendment

(i) information on digital euro payment accounts, ***meaning*** the unique digital euro payment account number; and

Or. en

Amendment 251

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex IV – point 1 – point ii

Text proposed by the Commission

Amendment

(ii) ***information on online digital euro payment transactions. information linked to an unique digital euro payment account number, including*** the transaction amount.

(ii) the transaction amount.

Or. en

Amendment 252

Cristian Terheş

Proposal for a regulation

Annex IV – point 1 – point ii

Text proposed by the Commission

(ii) information on online digital euro payment transactions. information linked to an unique digital euro payment account number, ***including*** the transaction amount.

Amendment

(ii) information on online digital euro payment transactions. information linked to an unique digital euro payment account number, ***and*** the transaction amount.

Or. en

Amendment 253

Domènec Ruiz Devesa

Proposal for a regulation

Annex IV – point 2 – introductory part

Text proposed by the Commission

2. For the purpose of point (b) of Article 35(1), processing shall be limited to:

Amendment

2. For the purpose of point (b) of Article 35(1), processing ***of personal data*** shall be limited to:

Or. en

Amendment 254

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex IV – point 2 – point i

Text proposed by the Commission

Amendment

(i) *the user alias;*

(i) *a one-time identifier created by the Payment Services Provider allowing the European Central Bank and national central banks to settle the payment without allowing them to directly or indirectly identify individual digital euro users;*

Or. en

Amendment 255

Domènec Ruiz Devesa

Proposal for a regulation

Annex IV – point 2 – point i

Text proposed by the Commission

Amendment

(i) *the user alias;*

(i) *a one-time identifier created by the Payment Services Provider allowing the European Central Bank and national central banks to settle the payment without allowing them to directly or indirectly identify individual digital euro users*

Or. en

Amendment 256

Domènec Ruiz Devesa

Proposal for a regulation

Annex IV – point 2 – point iv

Text proposed by the Commission

Amendment

(iv) *the reference to digital euro holdings to credit.*

deleted

Or. en

Amendment 257

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex IV – point 2 – point iv

Text proposed by the Commission

Amendment

(iv) the reference to digital euro holdings to credit.

deleted

Or. en

Amendment 258
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex IV – point 3

Text proposed by the Commission

Amendment

3. For the purpose of point (c) of Article 35(1), processing shall be limited to the data required for counterfeit analysis of offline digital euro payment transactions: **information on the local storage device, including** the local storage device number.

3. For the purpose of point (c) of Article 35(1), processing shall be limited to the data required for counterfeit analysis of offline digital euro payment transactions: the local storage device number.

Or. en

Justification

Precise specification!

Amendment 259
Cristian Terheş

Proposal for a regulation
Annex IV – point 3

Text proposed by the Commission

Amendment

3. For the purpose of point (c) of Article 35(1), processing shall be limited to the data required for counterfeit analysis of offline digital euro payment transactions:

3. For the purpose of point (c) of Article 35(1), processing shall be limited to the data required for counterfeit analysis of offline digital euro payment transactions:

information on the local storage device,
including the local storage device number.

information on the local storage device,
meaning the local storage device number.

Or. en

Amendment 260
Domènec Ruiz Devesa

Proposal for a regulation
Annex IV – point 3

Text proposed by the Commission

3. For the purpose of point (c) of Article 35(1), processing shall be limited to the data required for counterfeit analysis of offline digital euro payment transactions: ***information on the local storage device, including*** the local storage device number.

Amendment

3. For the purpose of point (c) of Article 35(1), processing ***of personal data*** shall be ***strictly*** limited to the data required for counterfeit analysis of offline digital euro payment transactions: the local storage device number.

Or. en

Amendment 261
Domènec Ruiz Devesa

Proposal for a regulation
Annex IV – point 4 – introductory part

Text proposed by the Commission

4. For the purposes of points (d) and (e) of Article 35(1), and the single access point referred to in Article ***34(8)***, processing shall be limited to:

Amendment

4. For the purposes of points (d) and (e) of Article 35(1), and the single access point referred to in Article ***35(8)***, processing ***of personal data*** shall be ***strictly*** limited to:

Or. en

Amendment 262
Domènec Ruiz Devesa

Proposal for a regulation
Annex IV – point 4 – point ii

Text proposed by the Commission

Amendment

(ii) the user authentication, related to user's existing digital euro holdings; and

deleted

Or. en

Amendment 263

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex IV – point 4 – point ii

Text proposed by the Commission

Amendment

(ii) the user authentication, related to user's existing digital euro holdings; and

deleted

Or. en

Amendment 264

Domènec Ruiz Devesa

Proposal for a regulation

Annex IV – point 4 – point iii

Text proposed by the Commission

Amendment

(iii) information on digital euro payment accounts, including the unique digital euro payment account number, digital euro holdings of the user, the holding limit selected by the user and the type of digital euro account.

(iii) digital euro holdings *linked to a user identifier*, the holding limit selected by the user and the type of digital euro account.

Or. en

Amendment 265

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex IV – point 4 – point iii

Text proposed by the Commission

Amendment

(iii) **information on digital euro payment accounts, including the unique digital euro payment account number,** digital euro holdings **of the user**, the holding limit selected by the user and the type of digital euro account.

(iii) digital euro holdings **linked to a specific user identifier**, the holding limit selected by the user and the type of digital euro account.

Or. en

Justification

The single access point should not become a central database with sensitive personal data but should be limited to what is strictly needed to verify holding limits and provide the service of emergency switching. In this regard, a solution to provide these services should be based on using the user identifier in combination with the digital holdings linked to a specific user identifier.

Amendment 266

Cristian Terheş

Proposal for a regulation

Annex IV – point 4 – point iii

Text proposed by the Commission

Amendment

(iii) information on digital euro payment accounts, **including** the unique digital euro payment account number, digital euro holdings of the user, the holding limit selected by the user and the type of digital euro account.

(iii) information on digital euro payment accounts, **meaning** the unique digital euro payment account number, digital euro holdings of the user, the holding limit selected by the user and the type of digital euro account.

Or. en

Amendment 267

Domènec Ruiz Devesa

Proposal for a regulation

Annex V – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

For the purposes of point (a) of Article 36(1), processing shall be limited to the

For the purposes of point (a) of Article 36(1), processing **of personal data** shall be

data required for the prevention and detection of fraud across payment service providers:

strictly limited to the data required for the prevention and detection of fraud across payment service providers:

Or. en

Amendment 268
Domènec Ruiz Devesa

Proposal for a regulation
Annex V – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) *information on digital euro payment accounts, including the unique digital euro account identifier;*

(i) *the user aliases*

Or. en

Amendment 269
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex V – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) *information on digital euro payment accounts, including the unique digital euro account identifier;*

(i) *the user aliases;*

Or. en

Amendment 270
Cristian Terheş

Proposal for a regulation
Annex V – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) information on digital euro

(i) information on digital euro

payment accounts, **including** the unique digital euro account identifier;

payment accounts, **meaning** the unique digital euro account identifier;

Or. en

Amendment 271

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex V – paragraph 1 – point ii

Text proposed by the Commission

Amendment

(ii) **information on online digital euro payment transactions, including** the transaction amount; and

(ii) the transaction amount; and

Or. en

Amendment 272

Domènec Ruiz Devesa

Proposal for a regulation

Annex V – paragraph 1 – point ii

Text proposed by the Commission

Amendment

(ii) **information on online digital euro payment transactions, including** the transaction amount; and

(ii) the transaction amount; and

Or. en

Amendment 273

Cristian Terheş

Proposal for a regulation

Annex V – paragraph 1 – point ii

Text proposed by the Commission

Amendment

(ii) information on online digital euro payment transactions, **including** the

(ii) information on online digital euro payment transactions, **meaning** the

transaction amount; and

transaction amount; and

Or. en

Amendment 274

Domènec Ruiz Devesa

Proposal for a regulation

Annex V – paragraph 1 – point iii

Text proposed by the Commission

(iii) information on the transaction session of a digital euro user, ***including the device internet protocol address-range***.

Amendment

(iii) ***the device internet protocol address-range providing*** information on the transaction session of a digital euro user .

Or. en

Amendment 275

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex V – paragraph 1 – point iii

Text proposed by the Commission

(iii) information on the transaction session of a digital euro user, ***including the device internet protocol address-range***.

Amendment

(iii) ***the device internet protocol address-range providing*** information on the transaction session of a digital euro user.

Or. en

Amendment 276

Cristian Terheş

Proposal for a regulation

Annex V – paragraph 1 – point iii

Text proposed by the Commission

(iii) information on the transaction

Amendment

(iii) information on the transaction

session of a digital euro user, **including** the device internet protocol address-range.

session of a digital euro user, **and** the device internet protocol address-range.

Or. en

Amendment 277

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex V – paragraph 1 a (new)

Text proposed by the Commission

Amendment

For the purposes of Article 27(2), processing shall be limited to the data required for the prevention and detection of fraud across payment service providers:

(i) ###

Or. en

Justification

EDPB and the EDPS note the absence of listed categories of personal data to be processed by the PSSs when operating the exchange of messages for the resolution of disputes pursuant to Article 27(2) of the Proposal, as well as the absence of clarification as to who would provide this information. Therefore, the EDPB and the EDPS recommend adding these clarifications to Annex V.