

28.9.2022

A9-0279/ 001-087

AMENDMENTS 001-087

by the Committee on the Internal Market and Consumer Protection

Report

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EU Customs Single Window

A9-0279/2021

Proposal for a regulation (COM(2020)0673 – C9-0338/2020 – 2020/0306(COD))

Amendment 1

Proposal for a regulation

Recital -1 a (new)

Text proposed by the Commission

Amendment

(-1a) The customs union has been a cornerstone of the European Union, which is one of the largest trading blocks in the world. The customs union is fundamental for successful Union integration and for the proper functioning of the internal market, for the benefit of businesses and consumers.

Amendment 2

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) The Union's international trade is subject to both customs legislation and Union non-customs legislation. The latter is applicable to specific goods in policy areas such as health and safety, the environment, agriculture, fisheries, cultural heritage and market surveillance. One of

(1) The Union's international trade is subject to both customs legislation and Union non-customs legislation. The latter is applicable to specific goods in policy areas such as health and safety, the environment, agriculture, fisheries, cultural heritage, and market surveillance. One of

the main tasks assigned to customs authorities in line with Regulation (EU) No 952/2013 of the European Parliament and of the Council³⁰ is to ensure the security and safety of the Union and its residents, and the protection of the environment, where appropriate, in close cooperation with other authorities. The authorities responsible for Union non-customs regulatory formalities ('partner competent authorities') and customs authorities often work in silos, creating complex and burdensome reporting obligations for traders and inefficient goods clearance processes conducive to error and fraud. To address the fragmented interoperability between customs and partner competent authorities in the management of goods clearance processes and to coordinate action in this area, the Commission and the Member States have taken a number of commitments over the years to develop single window initiatives for the clearance of goods.

³⁰ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Amendment 3

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) In accordance with **Article 4(6) of** Decision No 70/2008/EC of the European Parliament and of the Council³¹, the

the main tasks assigned to customs authorities in line with Regulation (EU) No 952/2013 of the European Parliament and of the Council³⁰ is to ensure the security and safety of the Union and its residents, and the protection of the environment, where appropriate, in close cooperation with other authorities. The authorities responsible for Union non-customs regulatory formalities ('partner competent authorities') and customs authorities often work in silos, creating complex and burdensome reporting obligations for traders and inefficient goods clearance processes conducive to error and fraud **and additional costs for economic operators. Problems concerning the interoperability of those authorities are major obstacles to progress on completing the digital single market and achieving integrated and coordinated customs and border management.** To address the fragmented interoperability between customs and partner competent authorities in the management of goods clearance processes and to coordinate action in this area, the Commission and the Member States have taken a number of commitments over the years to develop single window initiatives for the clearance of goods.

³⁰ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Amendment

(2) In accordance with Decision No 70/2008/EC of the European Parliament and of the Council³¹, the Member States

Member States and the Commission are to endeavour to establish and make operational a framework of single window services. *As stated in the final report on Evaluation of the electronic customs implementation in the EU of 21 January 2015*³², while certain elements of that Decision *remain highly relevant, other parts either* have been superseded or are not concrete enough to encourage and incentivise further advances, in particular on the single window initiative. Following up on this, the Council Conclusions of 17 December 2014 on Electronic Customs and Single Window Implementation in the European Union³³ endorsed the Venice Declaration of 15 October 2014³⁴ and invited the Commission to present a proposal for the revision of Decision No 70/2008/EC.

³¹ Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade (OJ L 23, 26.01.2008, p. 21).

³² Final report prepared by Coffey International Development, Europe Economic Research Ltd and Ramboll Management Consulting on request of the Commission.

³³ ST16507/14.

and the Commission are to endeavour to establish and make operational a framework of single window services *providing for the seamless flow of data between economic operators and customs authorities, between customs authorities and the Commission, between customs authorities and other administrations or agencies, and between one customs system and another throughout the Union and enabling economic operators to submit all information required for import or export clearance to customs, including information required by non-customs related legislation.* Certain elements of that Decision have been *either* superseded or are not concrete enough to encourage and incentivise further advances, in particular on the single window initiative. Following up on this, *and in line with the final report on Evaluation of the electronic customs implementation in the EU of 21 January 2015*^{31a}, the Council Conclusions of 17 December 2014 on Electronic Customs and Single Window Implementation in the European Union³³ endorsed the Venice Declaration of 15 October 2014³⁴ and invited the Commission to present a proposal for the revision of Decision No 70/2008/EC.

³¹ Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade (OJ L 23, 26.01.2008, p. 21).

^{31a} *Final report prepared by Coffey International Development, Europe Economic Research Ltd and Ramboll Management Consulting on request of the Commission.*

³² Final report prepared by Coffey International Development, Europe Economic Research Ltd and Ramboll Management Consulting on request of the Commission.

³³ ST16507/14.

³⁴ Annex to the Council Conclusions of 17 December 2014.

³⁴ Annex to the Council Conclusions of 17 December 2014.

Amendment 4
Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Decision No 70/2008/EC served as the legal basis empowering the Commission to draw up a Multi-Annual Strategic Plan for Customs (MASP-C) for creating a coherent and interoperable electronic customs environment for the Union. In its proposal for a Regulation establishing, as part of the multiannual financial framework, the Customs programme for cooperation in the field of customs^{1a}, the Commission proposed, in order to fulfil its commitments under the Better Regulation Agenda, to repeal and replace Decision No 70/2008/EC. Eventually, references to the MASP-C were omitted from the Customs programme established by Regulation (EU) 2021/444 and, as a consequence, Decision No 70/2008/EC was not repealed. As all relevant provisions of Decision No 70/2008/EC have either been taken over by Regulation (EU) No 952/2013 or are now taken over by this Regulation, Decision No 70/2008/EC should be repealed. In order to ensure coherence and coordination between Regulation (EU) No 952/2013 and this Regulation, the MASP-C should include all the relevant elements related to all the electronic systems relevant to both Regulations.

^{1a} COM(2018)0442.

Amendment 5
Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) Trade facilitation, and safety and security, concern all authorities involved in the goods clearance process across Union borders. The rapid rise in international trade has increased the need for better cooperation and coordination among those authorities. The ongoing process of digitalisation allows this situation to be addressed more efficiently by connecting the systems of customs and partner competent authorities and enabling **a** systematic automated exchange of information between them. As such, the current framework of regulatory compliance is insufficient to support an effective interaction between customs and partner competent authorities, whose systems and procedures are characterised by fragmentation and redundancy. A fully coordinated and efficient goods clearance process requires a streamlined Union regulatory environment for international trade that delivers long-term benefits to the Union and its residents in all policy areas.

Amendment

(4) Trade facilitation, and safety and security, concern all authorities involved in the goods clearance process across Union borders. The rapid rise in international trade **and e-commerce** has increased the need for better cooperation and coordination among those authorities. The ongoing process of digitalisation allows this situation to be addressed more efficiently by connecting the systems of customs and partner competent authorities and enabling **an integrated, accessible and** systematic automated exchange of information between them, **with the objective of strengthening and establishing regular cooperation on customs procedures**. As such, the current framework of regulatory compliance is insufficient to support an effective interaction between customs and partner competent authorities, whose systems and procedures are characterised by fragmentation and redundancy. A fully coordinated and efficient goods clearance process requires a streamlined Union regulatory environment for international trade that delivers long-term benefits to the Union and its residents in all policy areas, **supports the effectiveness and good-functioning of the internal market and safeguards consumer protection**.

Amendment 6
Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The findings contained in the Special Report 04/2021 of the European Court of Auditors entitled ‘Customs controls: insufficient harmonisation hampers EU financial interests’ should be taken into account when implementing this Regulation. Furthermore, while

digital solutions can enhance harmonisation and reduce the workflow, digital solutions would not dispense with the need for properly trained staff. Thus, a lack of sufficient resources and staff of customs authorities could endanger the proper functioning of the internal market and the customs union. Therefore, Member States' investments in electronic systems should ensure sufficient funding for the required staff in order to guarantee that customs controls are conducted in a uniform manner across the Union.

Amendment 7
Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The EU eGovernment action plan 2016-2020 set out in Commission Communication of 19 April 2016³⁶ seeks to increase the efficiency of public services by removing existing digital barriers, reducing the administrative burden and improving the quality of interactions between national administrations. *In line with this vision and the wider efforts to simplify and digitalise reporting processes for the international trade in goods, the Commission developed a voluntary pilot project called European Union Customs Single Window Certificates Exchange. This project allows customs authorities to automatically verify compliance with a limited number of non-customs formalities, enabling information to be exchanged between the customs systems of participating Member States and the respective Union non-customs systems managing non-customs formalities. While the project has improved clearance procedures, its voluntary nature clearly limits its potential to generate substantial benefits for customs authorities, partner competent authorities and economic*

Amendment

(5) The EU eGovernment action plan 2016-2020 set out in Commission Communication of 19 April 2016³⁶ seeks to increase the efficiency of public services by removing existing digital barriers, reducing the administrative burden and improving the quality of interactions between national administrations. *In particular, that plan encompasses principles such as a digital-by-default service standard, reporting only once, cross-border-by-default activities, to facilitate mobility within the digital single market, interoperability by default, to ensure that public services work seamlessly across the internal market, and trustworthiness of personal data and IT security.*

operators.

³⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU eGovernment Action Plan 2016-2020 - Accelerating the digital transformation of government, COM(2016) 179 final of 19 April 2016.

³⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU eGovernment Action Plan 2016-2020 - Accelerating the digital transformation of government, COM(2016) 179 final of 19 April 2016.

Amendment 8
Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) In line with the vision set out in the EU eGovernment action plan 2016-2020 and the wider efforts to simplify and digitalise reporting processes for the international trade in goods, the Commission developed a voluntary pilot project called European Union Customs Single Window Certificates Exchange. That project allows customs authorities to automatically verify compliance with a limited number of non-customs formalities, enabling information to be exchanged between the customs systems of participating Member States and the respective Union non-customs systems managing non-customs formalities. While the project has improved clearance procedures, its voluntary nature clearly limits its potential to generate substantial benefits for customs authorities, partner competent authorities and economic operators, namely by lacking a comprehensive view of all imports and exports in the EU and by having limited impact in reducing administrative burdens for economic operators.

Amendment 9
Proposal for a regulation
Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) The European Union Single Window Environment for Customs should be aligned and made as interoperable as possible with other existing or future customs-related systems, such as centralised clearance under Regulation (EU) No 952/2013. The Commission should encourage interoperability between trade systems and the national single window environments, and where appropriate and with the agreement of the relevant third country, the Commission should consider the possibility of making EU CSW-CERTEX interoperable with customs and non-customs systems from third countries in order to facilitate goods clearance and make international trade more efficient. Where relevant, synergies between the European Maritime Single Window environment established by Regulation (EU) 2019/1239 of the European Parliament and of the Council¹ and the European Union Single Window Environment for Customs should be sought.

¹ Regulation (EU) 2019/1239 of the European Parliament and of the Council of 20 June 2019 establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU (OJ L 198, 25.7.2019, p. 64).

Amendment 10
Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The full digitalisation achieved by a European Union Single Window

Environment for Customs requires a high-level of cybersecurity of the solutions proposed. A successful attack on the European Union Single Window Environment for Customs would likely cause the disruption of customs and non-customs systems in the Union and inflict damages to trade and the Union's economy. Thus, a high standard of cybersecurity of communication networks, information systems and devices used by the custom authorities should be followed, such as that to be set by the future Directive of the European Parliament and the Council on measures for a high common level of cybersecurity across the Union (the "NIS 2 Directive"), repealing Directive (EU) 2016/1148. Both the Commission and Member States should follow, whenever possible, recommendations coming from the European Union Agency for Cybersecurity (ENISA) regarding cybersecurity of EU CSW-CERTEX and the national single window environments for customs.

Amendment 11
Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) The exchanges of digital information through EU CSW-CERTEX should cover Union non-customs formalities laid down in Union legislation that customs authorities are entrusted to enforce. Those formalities impose different obligations for the import, export or transit of certain goods, and their verification through customs controls is fundamentally important to the effective functioning of the EU Single Window Environment for Customs. EU CSW-CERTEX should cover digitalised regulatory formalities laid down in Union legislation and managed by partner competent authorities in electronic

Amendment

(7) The exchanges of digital information through EU CSW-CERTEX should cover Union non-customs formalities laid down in Union legislation that customs authorities are entrusted to enforce. Those formalities impose different obligations for the import, export or transit of certain goods, and their verification through customs controls is fundamentally important to the effective functioning of the EU Single Window Environment for Customs. EU CSW-CERTEX should cover digitalised regulatory formalities laid down in Union legislation and managed by partner competent authorities in electronic

Union non-customs systems, storing the relevant information from all Member States required for goods clearance. It is therefore appropriate to identify the Union non-customs formalities which should be subject to digital cooperation through EU CSW-CERTEX. In particular, EU CSW-CERTEX should initially cover sanitary and phytosanitary requirements, rules regulating the import of organic products, environmental requirements in relation to fluorinated greenhouse gases and ozone depleting substances, and formalities related to the import of cultural goods.

Union non-customs systems, storing the relevant information from all Member States required for goods clearance. It is therefore appropriate to identify the Union non-customs formalities which should be subject to digital cooperation through EU CSW-CERTEX, ***while, in the long term, and as soon as the appropriate technical and functional specifications are in place, all non-customs systems should be included.*** In particular, EU CSW-CERTEX should initially cover sanitary and phytosanitary requirements, rules regulating the import of organic products, environmental requirements in relation to fluorinated greenhouse gases and ozone depleting substances, and formalities related to the import of cultural goods, ***and, on a voluntary basis, rules related to product safety, forest law enforcement, governance and trade and as well as to the registration, evaluation, authorisation and restriction of chemicals.***

Amendment 12
Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) The Commission, in collaboration with the Member States, should develop, integrate, deploy and maintain EU CSW-CERTEX. To deliver appropriate and harmonised single window services at Union level for Union non-customs formalities, the Commission should connect the respective Union non-customs systems with EU CSW-CERTEX. Member States should be responsible for connecting their national single window environments for customs with EU CSW-CERTEX.

Amendment

(9) The Commission, in collaboration with the Member States, should develop, integrate, deploy and maintain EU CSW-CERTEX. To deliver appropriate and harmonised single window services at Union level for Union non-customs formalities, the Commission should connect the respective Union non-customs systems with EU CSW-CERTEX. Member States should be responsible for connecting their national single window environments for customs with EU CSW-CERTEX ***and should bear responsibility for integrating and managing the appropriate interfaces with EU CSW-CERTEX, including a sufficient number of properly trained staff. Moreover, the Commission should provide training and support the teams***

involved in creating, designing and maintaining the national single window environments for customs. The Commission should also provide assistance in connecting the national single window environments for customs to EU CSW-CERTEX. Furthermore, EU CSW-CERTEX and the national single window environments should be aligned with the recommendations for interoperability in public services set out in the European Interoperability Framework – Implementation Strategy.

Amendment 13
Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) Any processing of personal data in EU CSW-CERTEX should facilitate information sharing between the national environments for customs and Union non-customs systems without any storing of data. It should also transform data, where necessary, to enable information exchange between both digital domains. The information technology facilities used for data transformation should be located in the Union.

Amendment

(10) Any processing of personal ***and non-personal data in EU CSW-CERTEX should be without prejudice to Regulation (EU) 2016/679 of the European Parliament and of the Council (the ‘GDPR’)***^{1a} ***and the principles laid down in the Regulation (EU) 2018/1807 of the European Parliament and of the Council***^{1b} ***(the ‘Regulation on the free flow of non-personal data’), and should be conducted within a safe and secure environment protected from cyber-threats. To that end, suitable organisational and technical cybersecurity measures, and in particular encryption measures, should be adopted and deployed. Furthermore, any processing of personal and non-personal data in EU CSW-CERTEX should facilitate information sharing between the national environments for customs and Union non-customs systems without any storing of data. It should also transform data, where necessary, to enable information exchange between both digital domains. The information technology facilities used for data transformation should be located in the Union.***

^{1a} 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).

^{1b} Regulation (EU) 2018/1807 of the European Parliament and of the Council of 14 November 2018 on a framework for the free flow of non-personal data in the European Union (OJ L 303, 28.11.2018, p. 59).

Amendment 14
Proposal for a regulation
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The European Union Single Window Environment for Customs should be designed with a high level of cybersecurity and should include fail-safe instruments. Moreover, the framework for an European Union Single Window Environment for Customs and the digitalisation of customs and non-customs systems should enable Member States and the Commission to make effective use of state-of-the-art data analytics and artificial intelligence tools to enhance the detection of fraud and non-conformity and to decrease such risks for the Union. Furthermore, it should also lead to strengthened control and safeguard mechanisms against fraudulent activities in order to improve the targeting of manual and on-the-ground inspections, including when it comes to product safety and, when they are imported for commercial purposes, counterfeit products.

Amendment 15
Proposal for a regulation
Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) It is necessary to establish a working group for national single window environments for customs, which should serve as a forum to discuss, at a technical level, the progress in the implementation of national single window environments for customs and to assist in suggesting additional customs and non-customs systems to be added to the European Union Single Window Environment and EU CSW-CERTEX. The working group should consist of representatives of the Commission and of the national coordinators of the Member States. The representatives of the working group should have an understanding of the technical details of the national and European Union single window environments for customs. Furthermore, at the request of the Member State concerned, the working group should provide input and support for the creation, design and implementation of any of the national single window environments for customs. In order to ensure continuity, the working group should meet at least every six months, and the meetings should be convened and chaired by the Commission representatives, who should keep a written summary of the conclusions of each meeting, as well as an updated register of every Member State's national single window environment for customs and of the progress of the European Union Single Window Environment for Customs.

Amendment 16
Proposal for a regulation
Recital 13

(13) The increased digitalisation of customs and Union non-customs regulatory formalities applicable to international trade has opened up new opportunities for Member States to improve the digital cooperation between customs and partner competent authorities. In pursuit of those priorities, several Member States have started to develop frameworks for national single window environments for customs. Those initiatives differ substantially depending on the level of existing customs information technology architecture, priorities and cost structures. It is therefore necessary to require Member States to establish and operate national single window environments for customs for Union non-customs formalities covered by EU CSW-CERTEX. Those environments should constitute the national components of the EU Single Window Environment for Customs, **enabling** electronic information sharing and collaboration between customs, partner competent authorities and economic operators **to** ensure compliance with and efficient enforcement of customs legislation and Union non-customs formalities covered by EU CSW-CERTEX. In line with this objective, the national single window environments for customs should enable the automated verification by customs authorities of formalities in respect of which data is transmitted from the respective Union non-customs system through EU CSW-CERTEX. The national single window environments for customs should also allow partner competent authorities to monitor and control the quantities of authorised goods (‘quantity management’) that have been released by customs through the Union. This should be ensured by providing the necessary clearance information to the Union non-customs systems through EU CSW-CERTEX. In practical terms, quantity management at Union level is necessary to

(13) The increased digitalisation of customs and Union non-customs regulatory formalities applicable to international trade has opened up new opportunities for Member States to improve the digital cooperation between customs and partner competent authorities. In pursuit of those priorities, several Member States have started to develop frameworks for national single window environments for customs. Those initiatives differ substantially depending on the level of existing customs information technology architecture, priorities and cost structures. It is therefore necessary to require Member States to establish and operate national single window environments for customs for Union non-customs formalities covered by EU CSW-CERTEX. Those environments should constitute the national components of the EU Single Window Environment for Customs. ***The relevant non-customs systems listed in Annex I should be developed and integrated by each Member State in its national single window environment for customs and should be safe and secure, protected from cyber-threats and using the best available cybersecurity tools, and on the basis of uniform technical specifications provided by the Commission. Those uniform technical specifications should provide common data sets for all applications, declarations and notifications in order to create an interoperable common IT interface solution, and should ensure that decisions issued by national administrations are valid throughout the Union. This would enable*** electronic information sharing and collaboration between customs, partner competent authorities and economic operators ***and would*** ensure compliance with and efficient enforcement of customs legislation and Union non-customs formalities covered by EU CSW-CERTEX.

enable a better enforcement of non-customs regulatory formalities by automatically and consistently monitoring the consumption of authorised quantities for the release of goods, avoiding their overuse or mishandling.

In line with this objective, the national single window environments for customs should ***have equivalent characteristics and*** enable the automated verification by customs authorities of formalities in respect of which data is transmitted from the respective Union non-customs system through EU CSW-CERTEX. The national single window environments for customs should also allow partner competent authorities to monitor and control the quantities of authorised goods (‘quantity management’) that have been released by customs through the Union. This should be ensured by providing the necessary clearance information to the Union non-customs systems through EU CSW-CERTEX. In practical terms, quantity management at Union level is necessary to enable a better enforcement of non-customs regulatory formalities by automatically and consistently monitoring the consumption of authorised quantities for the release of goods, avoiding their overuse or mishandling. ***The alignment of the national single window environments with EU CSW-CERTEX would facilitate efficient quantity management at Union level.***

Amendment 17
Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) To further simplify goods clearance processes for economic operators, the national single window environments for customs should become a single channel to communicate with customs and partner competent authorities. The Union non-customs formalities subject to this additional facilitation measure are a subset of the overarching formalities covered by EU CSW-CERTEX. The Commission should identify those formalities progressively by assessing the fulfilment of

Amendment

(14) To further simplify goods clearance processes for economic operators ***and to reduce administrative burdens***, the national single window environments for customs should become a single channel to communicate with customs and partner competent authorities. The Union non-customs formalities subject to this additional facilitation measure are a subset of the overarching formalities covered by EU CSW-CERTEX. The Commission should identify those formalities

a set of criteria relevant to trade facilitation, taking into account their legal and technical feasibility. In order to further enhance trade facilitation, it should be possible to use the national single window environments for customs as a platform for coordinating controls between customs authorities and partner competent authorities in line with Article 47(1) of Regulation (EU) No 952/2013.

progressively by assessing the fulfilment of a set of criteria relevant to trade facilitation, taking into account their legal and technical feasibility. In order to further enhance trade facilitation **and improve the efficiency of controls**, it should be possible to use the national single window environments for customs as a platform for coordinating controls between customs authorities and partner competent authorities in line with Article 47(1) of Regulation (EU) No 952/2013.

Amendment 18
Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) Each Member State should be the sole controller of the data processing operations performed within its national single window environment for customs. The data processing operations should be performed in accordance with Regulation (EU) 2016/679. Given that some of the data originating from the national single window environment for customs is to be exchanged with Union non-customs systems through EU CSW-CERTEX, each Member State should be required to notify the Commission in case of any personal data breach compromising the security, confidentiality, availability or integrity of the personal data processed within its environment.

Amendment

(15) Each Member State should be the sole controller of the data processing operations performed within its national single window environment for customs. The data processing operations should be performed in accordance with Regulation (EU) 2016/679. Given that some of the data originating from the national single window environment for customs is to be exchanged with Union non-customs systems through EU CSW-CERTEX, each Member State should be required to notify the Commission **immediately** in **the** case of any personal data breach compromising the security, confidentiality, availability, **accessibility** or integrity of the personal data processed within its environment.

Amendment 19
Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) In view of the Union non-customs formalities covered, EU CSW-CERTEX should serve several purposes. It should make available the relevant data to customs

Amendment

(17) In view of the Union non-customs formalities covered, EU CSW-CERTEX should serve several purposes. It should make available the relevant data to customs

authorities to better enforce Union non-customs regulatory policies through the automated verification of those formalities. It should provide the relevant data to partner competent authorities to monitor and determine the remaining quantity of authorised goods not written off by customs in the clearance of other consignments. It should also support the implementation of the ‘one-stop shop’ principle for the performance of controls referred to in Article 47(1) of Regulation (EU) No 952/2013, by facilitating the integration of customs and Union non-customs procedures for a fully automated goods clearance process. Some legal acts of the Union may require data transfers between national customs systems and the information and communication system established in the relevant act. EU CSW-CERTEX should therefore enable automated data sharing between customs authorities and partner competent authorities where required by those acts.

authorities to better enforce Union non-customs regulatory policies through the automated verification of those formalities. It should provide the relevant data to partner competent authorities to monitor and determine the remaining quantity of authorised goods not written off by customs in the clearance of other consignments. It should also support the implementation of the ‘one-stop shop’ principle for the performance of controls referred to in Article 47(1) of Regulation (EU) No 952/2013, by facilitating the integration of customs and Union non-customs procedures for a fully automated **and intelligence-assisted** goods clearance process. Some legal acts of the Union may require data transfers between national customs systems and the information and communication system established in the relevant act. EU CSW-CERTEX should therefore enable automated data sharing between customs authorities and partner competent authorities where required by those acts.

Amendment 20
Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) There is a significant overlap between the data included in the customs declaration and the data included in the application for supporting documents. To enable the re-use of data so that economic operators do not need to provide the same data more than once, it is necessary to reconcile and rationalise the data requirements for customs and the Union non-customs formalities covered by EU CSW-CERTEX. The Commission should therefore identify the data elements included in both the customs declaration and the application for supporting documents. The Commission should also identify the data elements that are required

Amendment

(19) There is a significant overlap between the data included in the customs declaration and the data included in the application for supporting documents, **which makes customs clearance difficult**. To enable the re-use of data so that economic operators do not need to provide the same data more than once, it is necessary to reconcile and rationalise the data requirements for customs and the Union non-customs formalities covered by EU CSW-CERTEX. The Commission should therefore identify the data elements included in both the customs declaration and the application for supporting documents. The Commission should also

only by Union non-customs legislation ('partner competent authority (PCA) data set(s)'). The customs declaration data and the PCA data set(s) should constitute an integrated declaration including all clearance related information needed to fulfil the customs and Union non-customs formalities covered by EU CSW-CERTEX.

identify the data elements that are required only by Union non-customs legislation ('partner competent authority (PCA) data set(s)'). The customs declaration data and the PCA data set(s) should constitute an integrated declaration including all clearance related information needed to fulfil the customs and Union non-customs formalities covered by EU CSW-CERTEX.

Amendment 21
Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) To allow economic operators to fulfil customs and non-customs formalities affecting the same goods movements, the national single window environments for customs should enable them to submit all data required by multiple regulatory authorities for placing the goods under customs procedures through an integrated declaration. It should be possible to submit such data together with the customs declaration lodged prior to the expected presentation of the goods to customs, in accordance with Article 171 of Regulation (EU) No 952/2013.

Amendment

(20) To allow economic operators to fulfil customs and non-customs formalities affecting the same goods movements, the national single window environments for customs should enable them to submit all data required by multiple regulatory authorities for placing the goods under customs procedures through an integrated declaration. It should be possible to submit such data together with the customs declaration lodged prior to the expected presentation of the goods to customs, in accordance with Article 171 of Regulation (EU) No 952/2013. ***Such submissions would enable the fulfilment of the once-only principle. The European Union Single Window Environment for Customs should allow authorised economic operators, as defined in the Union Customs Code, to use their certified status when interacting with it, thus enabling easier filling of declarations and information to customs authorities.***

Amendment 22
Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Close cooperation between the

Amendment

(23) Close cooperation between the

Commission and the Member States is essential to coordinate all activities associated with the effective functioning of the EU Single Window Environment for Customs. Given the broad and diverse scope of those activities, it is necessary for each Member State to appoint a competent authority as national coordinator. The national coordinator should be the contact point for the Commission, and should promote cooperation at national level, while ensuring system interoperability. The Commission should provide coordination where necessary, and help ensure the efficient enforcement of Union non-customs formalities.

Commission and the Member States is essential to coordinate all activities associated with the effective functioning of the EU Single Window Environment for Customs. ***This will also help to bridge Europe's digital divide, and the Member States' diverging levels of digitalisation and digital preparedness, thereby preventing potential distortions.*** Given the broad and diverse scope of those activities, it is necessary for each Member State to appoint a competent authority as national coordinator. The national coordinator should be the contact point for the Commission, and should promote cooperation at national level, while ensuring system interoperability. The Commission should provide coordination where necessary, and help ensure the efficient enforcement of Union non-customs formalities.

Amendment 23
Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) Detailed planning is required to progressively integrate various Union non-customs formalities from diverse policy areas into EU CSW-CERTEX. To that end, the Commission should prepare a work programme to incorporate those formalities into EU CSW-CERTEX and to develop connections between the Union non-customs systems processing those formalities and EU CSW-CERTEX. The main objective of the work programme should be to support the operational requirements and implementation timeline of these activities. The work programme should be reviewed regularly to assess overall progress in applying the provisions of this Regulation.

Amendment

(25) Detailed planning is required to progressively integrate various Union non-customs formalities from diverse policy areas into EU CSW-CERTEX. To that end, the Commission should prepare a work programme to incorporate those formalities into EU CSW-CERTEX and to develop connections between the Union non-customs systems processing those formalities and EU CSW-CERTEX. The main objective of the work programme should be to support the operational requirements and implementation timeline of these activities. The work programme should be reviewed regularly to assess overall progress in applying the provisions of this Regulation, ***and should be updated at least every three years.***

Amendment 24
Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) The Commission should regularly monitor the functioning of the EU Single Window Environment for Customs to evaluate the performance of EU CSW-CERTEX and to ensure the efficient enforcement of Union non-customs formalities covered by EU CSW-CERTEX. The Commission should submit regular assessment reports on the functioning of the EU Single Window Environment for Customs to the European Parliament and to the Council. Those reports should take stock of progress, identify areas for improvement and propose recommendations for the future in light of progress made towards an improved digital collaboration between customs and partner competent authorities involved in goods clearance to ensure simplified processes for economic operators and the efficient enforcement of Union non-customs formalities.

Amendment 25
Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) To ensure an efficient and effective functioning of the EU Single Window Environment for Customs, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of

Amendment

(26) The Commission should regularly monitor the functioning of the EU Single Window Environment for Customs to evaluate the performance of EU CSW-CERTEX and to ensure the efficient enforcement of Union non-customs formalities covered by EU CSW-CERTEX. The Commission should submit regular assessment reports on the functioning of the EU Single Window Environment for Customs to the European Parliament and to the Council, ***at the latest every three years***. Those reports should take stock of progress, identify areas for improvement and propose recommendations for the future in light of progress made towards an improved digital collaboration between customs and partner competent authorities involved in goods clearance to ensure simplified processes for economic operators and the efficient enforcement of Union non-customs formalities. ***For the purpose of monitoring and reporting, the Commission should organise and maintain a continuous dialogue with Member States, relevant economic operators, civil society actors and other relevant parties.***

Amendment

(27) To ensure an efficient and effective functioning of the EU Single Window Environment for Customs, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of

amendments to the list of Union non-customs formalities covered by EU CSW-CERTEX; **specification of** the data elements to be exchanged through EU CSW-CERTEX and identifying the data elements that are common to both the customs declaration and the application for supporting documents together with the PCA data **set** for each of the relevant Union **act** applicable to Union non-customs formalities integrated into EU CSW-CERTEX. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁴¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁴¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

This Regulation establishes a European Union Single Window Environment for Customs that provides an integrated set of

adding to the list of Union non-customs formalities covered by EU CSW-CERTEX; **specifying** the data elements to be exchanged through EU CSW-CERTEX; **amending Annex Ia in order to enable the Commission to adapt the MASP-C to developments in future customs-related projects and envisaged IT requirements**; and identifying the data elements that are common to both the customs declaration and the application for supporting documents together with the PCA data **sets** for each of the relevant Union **acts** applicable to Union non-customs formalities integrated into EU CSW-CERTEX. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁴¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁴¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

Amendment

This Regulation establishes a European Union Single Window Environment for Customs that provides an integrated set of

interoperable electronic services at Union and national level through the European Union Customs Single Window Certificates Exchange System to support interaction and information exchange between the national single window environments for customs and the Union non-customs systems referred to in *the* Annex.

interoperable electronic services at Union and national level through the European Union Customs Single Window Certificates Exchange System to support interaction and *enhance* information exchange between the national single window environments for customs and the Union non-customs systems referred to in *Part A and Part B of Annex I*.

Amendment 27
Proposal for a regulation
Article 1 – paragraph 2

Text proposed by the Commission

It lays down rules for the national single window environments for customs and rules on digital administrative cooperation and information sharing within the European Union Single Window Environment for Customs.

Amendment

It lays down rules for the national single window environments for customs and *non-customs systems referred to in Annex I, and sets out uniform technical specifications for interoperability through a European Union Single Window Environment for Customs, as well as* rules on *digital administrative* cooperation and information sharing within the European Union Single Window Environment for Customs *with the aim of better protecting citizens and of reducing the administrative burden on economic operators.*

Amendment 28
Proposal for a regulation
Article 2 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6a) ‘European electronic systems’ means electronic systems necessary for the customs union and for the execution of the mission of customs authorities, in particular the electronic systems referred to in Article 16(1) and Articles 278 and 280 of Regulation (EU) No 952/2013, Article 8 of Regulation (EU) 2019/880 of the European Parliament and of the Council^{1a}, and in other provisions of

Union law governing electronic systems for customs purposes, including international agreements, such as the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention)^{1b};

^{1a} *Regulation (EU) 2019/880 of the European Parliament and of the Council of 17 April 2019 on the introduction and the import of cultural goods (OJ L 151, 7.6.2019, p. 1).*

^{1b} *OJ L 165, 26.6.2009, p. 3.*

Amendment 29
Proposal for a regulation
Article 2 – paragraph 1 – point 6 b (new)

Text proposed by the Commission

Amendment

(6b) ‘common component’ means a component of the European electronic systems, developed at Union level, which is available for all Member States or identified as common by the Commission for reasons of efficiency, security and rationalisation;

Amendment 30
Proposal for a regulation
Article 2 – paragraph 1 – point 6 c (new)

Text proposed by the Commission

Amendment

(6c) ‘national component’ means a component of the European electronic systems, developed at national level, which is available in the Member State that created that component or contributed to its joint creation;

Amendment 31
Proposal for a regulation
Article 2 – paragraph 1 – point 6 d (new)

Text proposed by the Commission

Amendment

(6d) ‘transformation’ means the process of converting the format of non-customs data into data that is compatible with customs declarations, and vice versa, without changing their content.

Amendment 32
Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

Amendment

A European Union Single Window Environment for Customs is hereby established. It shall include the European Union Customs Single Window Certificates Exchange System, national single window environments for customs and the Union non-customs systems referred to in *the* Annex.

A European Union Single Window Environment for Customs is hereby established. It shall include the European Union Customs Single Window Certificates Exchange System, national single window environments for customs and the Union non-customs systems referred to in **Part A of Annex I**.

Amendment 33
Proposal for a regulation
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall adopt delegated acts in accordance with Article 21 amending the lists of Union non-customs systems laid down in Parts A, B and C of Annex I. When adopting those delegated acts, the Commission shall ensure that any system that fulfils the applicable rules laid down in Articles 10 to 15 is deleted from the list of Part B or C of Annex I and added to the list of Part A or B of Annex I.

Amendment 34
Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

An electronic European Union Customs Single Window Certificates Exchange System (EU CSW-CERTEX) is hereby established. EU CSW-CERTEX shall connect the national single window environments for customs with the Union non-customs systems referred to in *the* Annex.

Amendment 35
Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission shall connect the Union non-customs systems referred to in *the* Annex with EU CSW-CERTEX and enable information to be exchanged on the Union non-customs formalities listed in *the* Annex.

Amendment 36
Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. The Member States shall connect the national single window environments for customs with EU CSW-CERTEX and enable information to be exchanged on the Union non-customs formalities listed in *the* Annex.

Amendment 37
Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 21 amending the Annex, in

Amendment

An electronic European Union Customs Single Window Certificates Exchange System (EU CSW-CERTEX) is hereby established. EU CSW-CERTEX shall connect the national single window environments for customs with the Union non-customs systems referred to in **Part A of Annex I**.

Amendment

2. The Commission shall connect the Union non-customs systems referred to in **Part A of Annex I** with EU CSW-CERTEX and enable information to be exchanged on the Union non-customs formalities listed in **Part A of Annex I**.

Amendment

3. The Member States shall connect the national single window environments for customs with EU CSW-CERTEX and enable information to be exchanged on the Union non-customs formalities listed in **Part A of Annex I**.

Amendment

deleted

particular to cover other Union non-customs formalities.

Amendment 38
Proposal for a regulation
Article 6 – title

Text proposed by the Commission

Processing of personal data in EU CSW-CERTEX

Amendment

Processing of personal **and non-personal** data in EU CSW-CERTEX

Amendment 39
Proposal for a regulation
Article 6 – paragraph -1 a (new)

Text proposed by the Commission

Amendment

-1a. The processing of personal and non-personal data in EU CSW-CERTEX under this Regulation shall be without prejudice to Regulation (EU) 2016/679 and the principles laid down in Regulation (EU) 2018/1807.

Amendment 40
Proposal for a regulation
Article 6 – paragraph -1 b (new)

Text proposed by the Commission

Amendment

-1b. Processing of personal and non-personal data in EU CSW-CERTEX shall be conducted within a safe and secure environment, protected from cyber-threats and using the best available cybersecurity tools.

Amendment 41
Proposal for a regulation
Article 6 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) enabling information to be exchanged between national single window

(a) enabling information to be exchanged between national single window

environments for customs and the Union non-customs systems referred to in *the* Annex as regards the Union non-customs formalities listed therein;

Amendment 42
Proposal for a regulation
Article 6 – paragraph 2 – point b

Text proposed by the Commission

(b) natural persons whose personal information is contained in the supporting documents, or in any other additional documentary evidence required for the fulfilment of the Union non-customs formalities listed in *the* Annex;

Amendment 43
Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transformation of personal data referred to in paragraph 1, point (b), shall be performed using information technology infrastructure located in the Union.

Amendment 44
Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. The Member States shall establish national single window environments for customs. Each Member State shall be responsible for the development, integration and operation of its single window environment for customs.

environments for customs and the Union non-customs systems referred to in **Part A of Annex I** as regards the Union non-customs formalities listed therein;

Amendment

(b) natural persons whose personal information is contained in the supporting documents, or in any other additional documentary evidence required for the fulfilment of the Union non-customs formalities listed in **Part A of Annex I**;

Amendment

5. The transformation of personal data referred to in paragraph 1, point (b), shall be performed ***in accordance with paragraphs -1a and -1b***, using information technology infrastructure located in the Union.

Amendment

1. The Member States shall establish national single window environments for customs ***on the basis of uniform technical specifications provided by the Commission. Those uniform technical specifications shall establish common datasets for all applications, declarations and notifications in order to create an interoperable common IT interface solution.*** Each Member State shall be

responsible for the development, integration and operation of its single window environment for customs, **for its interoperability with EU CSW-CERTEX and with the relevant non-customs systems listed in Part A of Annex I, and for ensuring those systems function within a safe and secure environment, protected from cyber-threats.**

Amendment 45
Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. The national single window environments for customs shall enable the exchange of information and cooperation by electronic means between customs authorities, partner competent authorities and economic operators for the purposes of compliance with and efficient enforcement of customs legislation and the Union non-customs formalities listed in **the** Annex.

Amendment

2. The national single window environments for customs shall enable the exchange of information **in a standardised, interoperable way** and **the** cooperation by electronic means between customs authorities, partner competent authorities and economic operators for the purposes of compliance with and efficient enforcement of customs legislation and the Union non-customs formalities listed in **Part A of Annex I.**

Amendment 46
Proposal for a regulation
Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) enable customs authorities to automatically verify compliance with the Union non-customs formalities listed in **the** Annex based on the data received from Union non-customs systems for goods clearance purposes;

Amendment

(a) enable customs authorities to automatically verify compliance with the Union non-customs formalities listed in **Part A of Annex I** based on the data received from Union non-customs systems for goods clearance purposes;

Amendment 47
Proposal for a regulation
Article 8 – paragraph 3 – point b

Text proposed by the Commission

(b) allow partner competent authorities to perform, where applicable, quantity management related to the Union non-customs formalities listed in *the* Annex;

Amendment

(b) allow partner competent authorities to perform, where applicable, quantity management related to the Union non-customs formalities listed in ***Part A of Annex I***;

Amendment 48

Proposal for a regulation

Article 8 – paragraph 3 – point c

Text proposed by the Commission

(c) provide a single communication channel for economic operators to fulfil the relevant customs formalities and Union non-customs formalities subject to additional digital cooperation in accordance with Article 12.

Amendment

(c) provide a single communication channel for economic operators ***to lodge standardised information*** to fulfil the relevant customs formalities and Union non-customs formalities subject to additional digital cooperation in accordance with Article 12.

Amendment 49

Proposal for a regulation

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall provide training and support the teams involved in creating, designing and maintaining the national single window environments for customs. The Commission shall also provide assistance in connecting the national single window environments for customs to EU CSW-CERTEX.

Amendment 50

Proposal for a regulation

Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Working Group for National Single Window Environments for Customs

- 1. A Working Group for National Single Window Environments for Customs ('the Working Group') shall be established. It shall serve as a forum to discuss, at a technical level, the progress in the implementation of national single window environments for customs and to assist in suggesting additional customs and non-customs systems to be added to the European Union Single Window Environment and EU CSW-CERTEX.***
- 2. The Working Group shall consist of representatives of the Commission and of the national coordinators as referred to in Article 17.***
- 3. The Working Group shall provide input and support for the creation, design and implementation of any of the national single window environments for customs at the request of the Member State concerned.***
- 4. The Working Group shall provide support related to the monitoring and reporting activities as set out in Article 17, point (bb).***
- 5. The Working Group shall meet at least every six months, and the meetings shall be convened and chaired by the Commission representatives, who will keep a written summary of the conclusions of each meeting, as well as an updated register of every Member State's national single window environment for customs and of the progress of the European Union Single Window Environment for Customs.***

**Amendment 51
Proposal for a regulation
Chapter IV – title**

Text proposed by the Commission

Digital cooperation – information

Amendment

Digital cooperation – information
exchange and other procedural rules, ***data***

exchange and other procedural rules

sharing and cybersecurity framework

Amendment 52

Proposal for a regulation

Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

1. For each of the Union non-customs formalities listed in *the* Annex, EU CSW-CERTEX shall enable information to be exchanged between the national single window environments for customs and the relevant Union non-customs systems for the following purposes:

Amendment

1. For each of the Union non-customs formalities listed in **Part A of Annex I**, EU CSW-CERTEX shall enable information to be exchanged between the national single window environments for customs and the relevant Union non-customs systems **in a secure, standardised and interoperable way** for the following purposes:

Amendment 53

Proposal for a regulation

Article 10 – paragraph 1 – point d

Text proposed by the Commission

(d) allowing any other automated data transfer between customs and the relevant partner competent authorities required by Union legislation referred to in *the* Annex.

Amendment

(d) allowing any other automated data transfer between customs and the relevant partner competent authorities required by Union legislation referred to in **Part A of Annex I**.

Amendment 54

Proposal for a regulation

Article 10 – paragraph 2 – introductory part

Text proposed by the Commission

2. For each of the Union non-customs formalities listed in *the* Annex, EU CSW-CERTEX shall provide for the following:

Amendment

2. For each of the Union non-customs formalities listed in **Part A of Annex I**, EU CSW-CERTEX shall provide for the following:

Amendment 55

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

For goods subject to any of the Union non-customs formalities listed in *the* Annex, the national single window environments for customs shall provide the following functionalities:

Amendment 56
Proposal for a regulation
Article 11 – paragraph 1 – point a

Text proposed by the Commission

(a) allowing economic operators to submit the relevant information required for the fulfilment of the applicable customs formalities and Union non-customs formalities;

Amendment 57
Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. A Union non-customs formality listed in *the* Annex shall be subject to Article 8(3), point (c), Articles 11 to 15 and Article 16(2) provided that the Commission has determined in accordance with paragraph 2 of this Article that such formality fulfils the criteria set out in that paragraph.

Amendment 58
Proposal for a regulation
Article 12 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall, by means of implementing acts, determine which of the

Amendment

For goods subject to any of the Union non-customs formalities listed in **Part A of Annex I**, the national single window environments for customs shall provide the following functionalities:

Amendment

(a) allowing economic operators to submit ***in a secure, standardised, and interoperable way, and through a single point of entry***, the relevant ***standardised*** information required for the fulfilment of the applicable customs formalities and Union non-customs formalities;

Amendment

1. A Union non-customs formality listed in **Part A of Annex I** shall be subject to Article 8(3), point (c), Articles 11 to 15 and Article 16(2) provided that the Commission has determined in accordance with paragraph 2 of this Article that such formality fulfils the criteria set out in that paragraph.

Amendment

2. The Commission shall, by means of implementing acts, determine which of the

Union non-customs formalities listed in *the* Annex fulfil the following criteria:

Union non-customs formalities listed in *Part A of Annex I* fulfil the following criteria:

Amendment 59
Proposal for a regulation
Article 12 – paragraph 2 – point c

Text proposed by the Commission

(c) the corresponding Union non-customs system referred to in *the* Annex can identify the economic operator by means of the Economic Operator Registration and Identification (EORI) number;

Amendment

(c) the corresponding Union non-customs system referred to in *Part A of Annex I* can identify the economic operator by means of the Economic Operator Registration and Identification (EORI) number;

Amendment 60
Proposal for a regulation
Article 13 – paragraph 2

Text proposed by the Commission

2. The additional data elements referred to in paragraph 1 shall be identified by the corresponding acronym of the Union non-customs formality listed in *the* Annex, followed by the suffix ‘partner competent authority (PCA) data set’.

Amendment

2. The additional data elements referred to in paragraph 1 shall be identified by the corresponding acronym of the Union non-customs formality listed in *Part A of Annex I*, followed by the suffix ‘partner competent authority (PCA) data set’.

Amendment 61
Proposal for a regulation
Article 13 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 21, identifying, on the one hand, the data elements that are common to both the customs declaration and the application for supporting documents and, on the other hand, the PCA data set for each of the relevant Union acts applicable to Union non-customs formalities listed in *the*

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 21, identifying, on the one hand, the data elements that are common to both the customs declaration and the application for supporting documents and, on the other hand, the PCA data set for each of the relevant Union acts applicable to Union non-customs formalities listed in *Part A of*

Amendment 62
Proposal for a regulation
Chapter IV – Section 3 – title

Text proposed by the Commission

3 OTHER PROCEDURAL RULES
FOR THE UNION NON-CUSTOMS
FORMALITIES

Amendment

3 OTHER PROCEDURAL RULES
FOR THE UNION **CUSTOMS AND**
NON-CUSTOMS FORMALITIES, **DATA**
SHARING AND CYBERSECURITY
FRAMEWORK

Amendment 63
Proposal for a regulation
Article 17 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

**(ba) act as a representative in the
Working Group established in accordance
with Article 9a;**

Amendment 64
Proposal for a regulation
Article 17 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

**(bb) coordinate the implementation of
the tasks set out in Article 8(1) and
facilitate the performance of the
monitoring and reporting activities set out
in Article 20, in particular by providing
the information required by paragraph 4
thereof.**

Amendment 65
Proposal for a regulation
Article 17 a (new)

Article 17a

Multi-Annual Strategic Plan for Customs

1. Annex Ia sets out details of the supporting methodologies and tools related to the European electronic systems and lists the innovation and pilot actions.

2. On the basis of the provisions set out in Annex Ia, the Commission shall draw up and keep updated a Multi-Annual Strategic Plan for customs (the 'MASP-C'). The MASP-C shall detail all the tasks relevant for the development, maintenance and operation of European electronic systems listed in Annex Ia and shall specify, on the basis of the criteria established in Annex Ia, whether each system, or part of a system, constitutes:

(a) a common component;

(b) a national component; or

(c) a combination of both.

The Commission shall cooperate with the Member States in order to develop, maintain and operate the European electronic systems.

3. The Commission shall adopt delegated acts in accordance with Article 21 to amend Annex Ia where necessary in order to enable the Commission to adapt the MASP-C to developments in future customs-related projects and to IT requirements that are envisaged.

4. Member States shall notify the Commission of the completion of each task allocated to them under the MASP-C referred to in paragraph 2. They shall also regularly report to the Commission on progress with their tasks and, where applicable, about possible delays in their implementation.

5. By 31 March of each year, Member States shall submit to the Commission annual progress reports on the

implementation of the MASP-C referred to in paragraph 1, covering the period from 1 January to 31 December of the preceding year. Those annual reports shall be drawn up in accordance with a pre-established format.

6. By 31 October of each year, the Commission shall, on the basis of the annual progress reports referred to in paragraph 5, establish a consolidated report assessing the progress made by Member States and the Commission in the implementation of the MASP-C referred to in paragraph 2, including information about necessary adaptations to the MASP-C, or about possible delays in its implementation, and shall make that report public.

Amendment 66
Proposal for a regulation
Article 17 b (new)

Text proposed by the Commission

Amendment

Article 17b

Data sharing

In order to improve the efficiency and effectiveness of the customs authorities in carrying out their activities, Member States shall, as far as possible, aggregate relevant non-personal data gathered through the use of the national single window environments for customs and, where feasible and secure, share that data with software developers or equipment producers.

Any processing of data shall take place in a safe and secure manner and by means of appropriate organisational and technical security measures, and shall be without prejudice to Regulations (EU) No 952/2013, (EU) 2018/1807, (EU) 2019/1024 and [Data Governance Act] as well as relevant national law related to IT security.

Amendment 67
Proposal for a regulation
Article 17 c (new)

Text proposed by the Commission

Amendment

Article 17c

Cybersecurity framework

- 1. The Commission shall ensure that EU CSW-CERTEX is developed and designed with a high level of cybersecurity and includes fail-safe instruments in order to protect against any cyber-threat or attack against information systems by creating a robust and secure framework.**
- 2. The Commission shall facilitate and support the exchange of information between relevant competent authorities concerning existing and previous cyber-threats.**
- 3. Member States shall ensure that the national single window environments for customs are safe and secure, protected from cyber-threats and use the best available cybersecurity tools, including by deploying encryption.**

Amendment 68
Proposal for a regulation
Chapter V – title

Text proposed by the Commission

Amendment

Costs of EU CSW-CERTEX, work programme, **and** monitoring and reporting

Costs of EU CSW-CERTEX, work programme, monitoring, **reviewing** and reporting

Amendment 69
Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

Amendment

The Commission shall, by means of implementing acts, adopt a work

The Commission shall, by means of implementing acts, adopt a work

programme to support the implementation of the provisions of this Regulation related to the connection of the Union non-customs systems referred to in *the* Annex to EU CSW-CERTEX and the integration of the respective Union non-customs formalities. ***The work programme shall be kept up to date.*** Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 22(2).

programme to support the implementation of the provisions of this Regulation related to the connection of the Union non-customs systems referred to in ***Part A of Annex I*** to EU CSW-CERTEX and the integration of the respective Union non-customs formalities. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 22(2).

Amendment 70
Proposal for a regulation
Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The work programme referred to in the first paragraph shall be reviewed and updated regularly, at least once every three years, in order to assess and improve overall implementation of this Regulation.

Amendment 71
Proposal for a regulation
Article 20 – title

Text proposed by the Commission

Amendment

Monitoring and reporting

Monitoring, ***reviewing*** and reporting

Amendment 72
Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall regularly monitor the functioning of the European Union Single Window Environment for Customs.

1. The Commission shall regularly monitor the functioning of the European Union Single Window Environment for Customs, ***namely its impact on business operators, including SMEs. The Commission shall also provide timely guidance related to adequate updates and***

other modifications, and ensure access to appropriate training.

Amendment 73
Proposal for a regulation
Article 20 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall regularly review the status of the systems listed in Parts B and C of Annex I with a view to assessing their progress towards compliance with the rules laid down in Articles 10 to 15. If the Commission concludes that a system listed in Parts B or C of Annex I complies with the applicable rules laid down in Articles 10 to 15, it shall adopt a delegated act as referred to in Article 3(1a) to add it to Part A or B of Annex I.

Amendment 74
Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall regularly evaluate the performance of EU CSW-CERTEX.

2. The Commission shall regularly evaluate the performance of EU CSW-CERTEX ***in order to keep it updated, and to perform the necessary modifications. That evaluation shall include an assessment of the effectiveness, efficiency, coherence, relevance, and Union added-value of EU CSW-CERTEX.***

Amendment 75
Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

Amendment

3. By 31 December **2027** and every three years thereafter, the Commission shall submit to the European Parliament

3. By 31 December **2026** and every three years thereafter, the Commission shall submit to the European Parliament

and to the Council a report on the implementation of this Regulation. The report shall also include information on the monitoring and evaluation carried out in accordance with paragraphs 1 and 2, respectively.

and to the Council a report on the implementation of this Regulation. The report shall also include information on the monitoring and evaluation *activities* carried out in accordance with paragraphs 1, *1a* and 2, respectively, *and a summary of the conclusions reached. The report shall provide a clear overview of the stage of progress that every Member State's national single window environment for customs and the European Union Single Window Environment for Customs has reached.*

Amendment 76
Proposal for a regulation
Chapter VI – title

Text proposed by the Commission

Procedures for adoption of implementing and delegated acts, amendments to Regulation (EU) No 952/2013 and final provisions

Amendment

Procedures for adoption of implementing and delegated acts, amendments to Regulation (EU) No 952/2013, *repeal* and final provisions

Amendment 77
Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles *5(4)*, 10(3) *and* 13(4) shall be conferred on the Commission for an indeterminate period from the date of entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in *Article 3, second paragraph, and* Articles 10(3), 13(4), *17a(3) and 20(1a)* shall be conferred on the Commission for an indeterminate period *of time* from the date of entry into force of this Regulation.

Amendment 78
Proposal for a regulation
Article 21 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to

Amendment

3. The delegation of power referred to

in Articles **5(4)**, 10(3) **and** 13(4) 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.

in **Article 3, second paragraph, and** Articles 10(3), 13(4), **17a(3) and 20(1a)** 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 79
Proposal for a regulation
Article 21 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles **5(4)**, 10(3) **and** 13(4) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months 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 **Article 3, second paragraph and** Articles 10(3), 13(4), **17a(3) and 20(1a)** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months 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 80
Proposal for a regulation
Article 23 – paragraph 1 – point 2
Regulation (EU) No 952/2013
Article 163 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

The supporting documents for the applicable Union non-customs formalities listed in **the** Annex to Regulation (EU) [...] shall be deemed to be in the possession of

Amendment

The supporting documents for the applicable Union non-customs formalities listed in **Part A of Annex I** to Regulation (EU) [...] shall be deemed to be in the

the declarant and at the disposal of the customs authorities at the time when the customs declaration is lodged, provided that those authorities are able to obtain the necessary data from the corresponding Union non-customs system(s) through the European Union Customs Single Window Certificates Exchange System in accordance with Article 10(1), points (a) and (c) of that Regulation.

possession of the declarant and at the disposal of the customs authorities at the time when the customs declaration is lodged, provided that those authorities are able to obtain the necessary data from the corresponding Union non-customs system(s) through the European Union Customs Single Window Certificates Exchange System in accordance with Article 10(1), points (a) and (c) of that Regulation.

Amendment 81
Proposal for a regulation
Article 23 a (new)

Text proposed by the Commission

Amendment

Article 23a

Repeal

Decision No 70/2008/EC is repealed.

Amendment 82
Proposal for a regulation
Article 24 – paragraph 2

Text proposed by the Commission

Amendment

Article 5(2) and (3), Article 8(3), points (a) and (b), and Article 10 shall apply to each of the Union non-customs formalities listed in **the** Annex as from the dates set out therein.

Article 5(2) and (3), Article 8(3), points (a) and (b), and Article 10 shall apply to each of the Union non-customs formalities listed in **Part A of Annex I** as from the dates set out therein.

Amendment 83
Proposal for a regulation
Article 24 – paragraph 3

Text proposed by the Commission

Amendment

Article 8(3), point (c), Article 11, Article 13(1), (2) and (3), Article 14 and Article 15(1) and (2) shall apply from 1 January **2031**.

Article 8(3), point (c), Article 11, Article 13(1), (2) and (3), Article 14 and Article 15(1) and (2) shall apply from 1 January **2028**.

Amendment 84
Proposal for a regulation
Annex – title

Text proposed by the Commission

ANNEX

Amendment

ANNEX I: Part A

Amendment 85
Proposal for a regulation
Annex I – Part B (new)

Text proposed by the Commission

Amendment

ANNEX I: Part B

Systems that may be used on a voluntary basis by Member States and that should be connected by 2023

- 1. Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items***
- 2. Certificate for International trade of endangered species of wild fauna and flora (CITES)***
- 3. Information and communication system for market surveillance (ICSMS) and Rapid Information Exchange System (RAPEX)***
- 4. Kimberley Process certification scheme for the international trade in rough diamonds***
- 5. Import licence for Forest Law Enforcement, Governance and Trade.***
- 6. Shipments of waste***
- 7. Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)***
- 8. Prior Informed Consent (PIC) concerning the export and import of hazardous chemicals***
- 9. Illegal, Unreported and Unregulated fishing regulation, Catch certificate***

(EUIUU Catch)

Amendment 86
Proposal for a regulation
Annex I – Part C (new)

Text proposed by the Commission

Amendment

ANNEX I: Part C

OTHER SYSTEMS

Mercury export ban - Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008

Persistent organic pollutants - Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC

Prior Informed Consent (PIC) - ePIC (ECHA) - Regulation (EU) 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals

Leghold traps - Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards; Commission Regulation (EC) No 35/97 of 10 January 1997 laying down provisions on the certification of pelts and goods covered by Council Regulation (EEC) No 3254/91

Trade in seal products - Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products; Regulation (EU) 2015/1775 of the European Parliament and of the Council

of 6 October 2015 amending Regulation (EC) No 1007/2009 on trade in seal products and repealing Commission Regulation (EU) No 737/2010

Seal pups - Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom

Invasive Alien Species (IAS) - Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species

Illegal, Unreported and Unregulated fishing regulation, Catch certificate (EU IUU Catch) - Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999; Commission Regulation (EC) No 1010/2009 of 22 October 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

Catch documentation scheme for Dissostichus spp. - Council Regulation (EC) No 1035/2001 of 22 May 2001 establishing a catch documentation scheme for Dissostichus spp.

Statistical monitoring of trade in swordfish and bigeye tuna - Council Regulation (EC) No 1984/2003 of 8 April 2003 introducing a system for the statistical monitoring of trade in swordfish and bigeye tuna within the Community

*Catch documentation programme for bluefin tuna *Thunnus thynnus* - Regulation (EU) No 640/2010 of the European Parliament and of the Council of 7 July 2010 establishing a catch documentation programme for blue fin tuna *Thunnus thynnus* and amending Council Regulation (EC) No 1984/2003*

PROTECTION OF THE HEALTH AND LIFE OF HUMANS, ANIMALS AND PLANTS

Shipments of radioactive waste and spent fuel - Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel; Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste

Cat and dog fur and products containing such fur - Regulation (EC) No 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur

Animal by-products not intended for human consumption (ABP) - Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)

Personal consignments of products of animal origin - Commission Regulation (EC) No 206/2009 of 5 March 2009 on the introduction into the Community of personal consignments of products of animal origin and amending Regulation (EC) No 136/2004

Domestic pets - Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the

non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003

Plastic kitchenware from China and Hong Kong -Commission Regulation (EU) No 284/2011 of 22 March 2011 laying down specific conditions and detailed procedures for the import of polyamide and melamine plastic kitchenware originating in or consigned from the People's Republic of China and Hong Kong Special Administrative Region, China; Regulation (EC) No 882/2004 - Art. 48(1)

Prohibition of Bisphenol A in polycarbonate infant feeding bottles - Commission Implementing Regulation (EU) No 321/2011 of 1 April 2011 amending Regulation (EU) No 10/2011 as regards the restriction of use of Bisphenol A in plastic infant feeding bottles; Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC

Fresh fruit and vegetables, and bananas - marketing standards - Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors; Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

Hops from third countries - Commission Regulation (EC) No 1295/2008 of 18 December 2008 on the importation of hops from third countries; Regulation (EU) No 1308/2013 of the European

Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

Documents for imports of wines from third countries and accompanying documents for monitoring and certification of wine products - Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560; Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

Special import conditions due to contamination risk by aflatoxins - Commission Implementing Regulation (EU) No 884/2014 of 13 August 2014 imposing special conditions governing the import of certain feed and food from certain third countries due to contamination risk by aflatoxins and repealing Regulation (EC) No 1152/2009;

Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety- Art. 53, Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules

Betel leaves from Bangladesh - 2014/88/EU: Commission Implementing Decision of 13 February 2014 suspending temporarily imports from Bangladesh of foodstuffs containing or consisting of betel leaves ('Piperbetle'); Regulation (EC) No 178/2002 - Art. 53

Sesame seeds and betel leaves from India - Commission Implementing Regulation (EU) 2017/186 of 2 February 2017 laying down specific conditions applicable to the introduction into the Union of consignments from certain third countries due to microbiological contamination and amending Regulation (EC) No 669/2009; Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety - Art. 53

Sprouts - Commission Regulation (EU) No 211/2013 of 11 March 2013 on certification requirements for imports into the Union of sprouts and seeds intended for the production of sprouts; Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules - Art.48 (1)

Single CMO regulation - Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

Residues from the manufacture of starch from maize from USA - Commission Regulation (EC) No 1375/2007 of 23 November 2007 on imports of residues from the manufacture of starch from maize from the United States of America; Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

Organic products - Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91; Chernobyl - Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station; Commission Regulation (EC) No 1635/2006 of 6 November 2006 laying down detailed rules for the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station

Official controls on compliance with feed and food law, animal health and animal welfare rules - Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the

verification of compliance with feed and food law, animal health and animal welfare rules

High risk food and feed of non-animal origin -Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation(EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non- animal origin and amending Decision 2006/504/EC

Okra and curry leaves from India - Commission Implementing Regulation (EU) No 885/2014 of 13 August 2014 laying down specific conditions applicable to the import of okra and curry leaves from India and repealing Implementing Regulation (EU) No 91/2013; Regulation (EC) No178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety- Art. 53, Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules- Art. 15(5)

Unauthorised GM rice from CN - 2011/884/EU: Commission Implementing Decision of 22 December 2011 on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC, amended by Commission Implementing Decision2013/287/EU, Regulation(EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety - Art. 53

Fukushima - Commission Implementing Regulation (EU) 2016/6 of 5 January 2016 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) No 322/2014; Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety - Art. 53

Guar gum from India -Commission Implementing Regulation (EU) 2015/175 of 5 February 2015 laying down special conditions applicable to the import of guar gum originating in or consigned from India due to contamination risks by pentachlorophenol and dioxins, Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety- Art. 53

Medicinal products for human use - Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use; Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency, Commission Directive (EU) 2017/1572 of 15 September 2017 supplementing Directive 2001/83/EC of the European Parliament and of the Council as regards

the principles and guidelines of good manufacturing practice for medicinal products for human use

Investigational medicinal products for human use - Regulation (EU) No 536/2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use, and repealing Directive 2001/20/EC

Veterinary medicinal products -Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products; Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency

Plant Health Directive-Organisms harmful to plants or plant products - Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community, Commission Directive 2004/103/EC of 7 October 2004 on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by and specifying the conditions related to these checks

Plant Health checks of wooden packaging material from CN - 2013/92/EU: Commission Implementing Decision of 18 February 2013 on the supervision, plant health checks and measures to be take non wood packaging material actually in use in the transport of specified commodities originating in China; Plant Health Directive 2000/29/EC;

Directive 2004/103/EC

Marketing requirements for seeds and plant propagating material - https://ec.europa.eu/food/plants/plant-reproductive-material/legislation/eu-marketing-requirements_en

Dried beans from Nigeria-Commission Implementing Regulation (EU) 2015/943 of 18 June 2015 on emergency measures suspending imports of dried beans from Nigeria and amending Annex I to Regulation (EC) No 669/2009; Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety - Art. 53; Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules - Art. 15 (5)

PROTECTION OF CULTURAL AND ECONOMIC INTERESTS

Medals and tokens similar to euro coins - Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins;

Cash control - Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community; Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC

Protection of intellectual property rights (IPR) - Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003

Drug precursors - Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors; Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors

Tiered priced medicines-Regulation (EU) 2016/793 of the European Parliament and of the Council of 11 May 2016 to avoid trade diversion into the European Union of certain key medicines

Anti-Torture Regulation-Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment

Civil Weapons Directive -Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons

Export of firearms, their parts and components and ammunition - Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

Explosive precursors -Regulation (EU) No 98/2013 European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors; Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006

concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

Sanctions or restrictive measures - Article 215 of TFEU

Justification

The list of Part C of Annex I mirrors the background information of the impact assessment of the Commission and is still to be updated.

Amendment 87
Proposal for a regulation
Annex I a (new)

Text proposed by the Commission

Amendment

1. List of the European electronic systems and their common and national components, as referred to in Article 17a.

[...]

A. The European electronic systems are the following:

[...]

B. The common components of the European electronic systems are the following:

[...]

C. The national components of the European electronic systems are all those components which are not identified as common components in Section B.

[...]

2. Innovation and pilot actions under Article 17a.

The following innovation and pilot

actions are relevant for the purpose of establishing the MASP-C.

[...]

3. Supporting methodologies and tools related to the European electronic system under Article 17a

The following supporting methodologies and tools are relevant for the purpose of establishing the MASP-C:

[...]