



**2022/0379(COD)**

30.6.2023

# **OPINION**

of the Committee on the Internal Market and Consumer Protection

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act)  
(COM(2022)0720 – C9-0387/2022 – 2022/0379(COD))

Rapporteur for opinion: Francisco Guerreiro

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## SHORT JUSTIFICATION

The Rapporteur for opinion welcomes the Commission proposal for a Regulation laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act), which aims to strengthen the development of cross-border interoperability of network and information systems that are used to provide or manage public services in the Union. The proposed Regulation should replace the existing informal cooperation of public administrations in the Union in that area with a clear legal framework.

The Rapporteur believes that cross-border interoperability between public services is an essential requirement for the further strengthening of the single market to the benefit of citizens including users and consumers, as well as businesses, in particular small and medium-sized enterprises (SMEs).

The Rapporteur's amendments aim at improving some aspects of the proposed Regulation.

### 1. Improvement on the accessibility of digital public services

Firstly, the Rapporteur intends to ensure equal access to digital public services to all users, including persons with disabilities. Digital public services are especially beneficial for vulnerable groups of population. Therefore, amendments provide for highlighting the need of accessibility. The suggestions also aim at greater involvement of recipients of the public services, among them persons with disabilities, in the works of the Interoperable Europe Community.

### 2. Interoperability assessment

When public sector bodies or a body of the Union carries out a cross-border interoperability assessment, also the requirements and opportunities of the use of EUid and trust services under the eIDAS Regulation should be taken into account. The report on the outcome of the interoperability assessment should be published in a machine-readable format, to make it easier accessible.

### 3. Interoperable Europe Board and Interoperable Europe Community

Moreover, the Rapporteur believes that the Commission may invite developers of open source software and third party service providers, as well as stakeholders representing the interests of recipients of the public services to participate at meetings of the Interoperable Europe Board, if they possess specific competence in a subject. The Rapporteur proposes to enhance the adoption of open-source solutions by enabling the participation of open-source developers and SMEs in development of interoperability services.

### 4. Greater involvement of local and regional authorities

Finally, the Rapporteur's goal is to highlight the role of local and regional administrations in implementing interoperability solutions, as local and regional authorities are close to the citizen and provide a wide range of services. In particular, the amendments provide for that regulatory sandboxes can also be operated at local and regional level.

## AMENDMENT

The Committee on the Internal Market and Consumer Protection calls on the Committee on Industry, Research and Energy, as the committee responsible, to take the following into account:

### Amendment 1

#### Proposal for a regulation

##### Recital 1

*Text proposed by the Commission*

(1) It is necessary to strengthen the development of cross-border interoperability of network and information systems which are used to provide or manage public services in the Union, to allow public administrations in the Union to cooperate and make public services function across borders. The existing informal cooperation should be replaced with a clear legal framework to enable interoperability across different administrative levels and sectors and to ensure seamless cross-border data flows for truly European digital services. Public sector interoperability has an important impact on the right to free movement of goods and services laid down in the Treaties, as burdensome administrative procedures can create significant obstacles, especially for small and medium-sized enterprises ('SMEs').

*Amendment*

(1) It is necessary to strengthen the development of cross-border interoperability of network and information systems which are used to provide or manage public services in the Union, to allow public administrations in the Union to cooperate and make public services function across borders. The existing informal cooperation should be replaced with a clear legal framework to enable interoperability across different administrative levels and sectors and to ensure seamless cross-border data flows for truly European digital services ***that strengthen the single market***. Public sector interoperability has an important impact on the right to free movement of goods and services laid down in the Treaties, as burdensome administrative procedures can create significant obstacles ***for businesses***, especially for small and medium-sized enterprises ('SMEs'), ***and have a negative effect on users. A successful development of cross-border public sector interoperability requires staff of public sector bodies to support Union objectives, such as the freedoms of movement.***

## Amendment 2

### Proposal for a regulation

#### Recital 2

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

(2) Member States and the Union have been working for more than two decades to support the modernisation of administrations through digital transformation and foster the deep interconnections needed for a truly European digital space. The communication from the Commission ‘2030 Digital Compass: the European way for the Digital Decade’ (COM(2021) 118) underlines the need to speed up the digitalisation of public services by 2030, including by ensuring interoperability across all levels of government and across public services. Furthermore, the COVID-19 pandemic increased the speed of digitalisation, pushing public administrations to adapt to the online paradigm, including for cross-border digital public services, as well as for the smarter and greener use of technologies in accordance with the climate and energy targets set in the European Green Deal and the Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>36</sup>. This Regulation aims to significantly contribute to these Union goals by creating a structured cooperation framework on cross-border interoperability amongst Member States and the Commission to support the setup of digital public services.

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<sup>36</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1).

##### *Amendment*

(2) Member States and the Union have been working for more than two decades to support the modernisation of administrations through digital transformation and foster the deep interconnections needed for a truly European digital space. The communication from the Commission ‘2030 Digital Compass: the European way for the Digital Decade’ (COM(2021) 118) underlines the need to speed up the digitalisation of public services by 2030, including by ensuring interoperability across all levels of government and across public services. Furthermore, the COVID-19 pandemic increased the speed of digitalisation, pushing public administrations to adapt to the online paradigm, including for cross-border digital public services, as well as for the smarter and greener use of technologies in accordance with the climate and energy targets set in the European Green Deal and the Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>36</sup>. This Regulation aims to significantly contribute to these Union goals ***and to further enhance Europe's digital sovereignty*** by creating a structured cooperation framework on cross-border interoperability amongst Member States and the Commission to support the setup of digital public services.

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<sup>36</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1).

### Amendment 3

#### Proposal for a regulation Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2 a) The aim to create a structured cooperation framework on cross-border interoperability set out in this Regulation should ensure that all citizens, including older persons, persons with disabilities and persons with limited access to digital services, have equal and easy access to public services. Cross-border interoperability requires basic network connections, such as cellular networks or wireless networks. However, especially in border regions or rural areas those network connections can possibly be underdeveloped or malfunction, which could undermine cross-border interoperability. Therefore, the Interoperable Europe Board should have the task to monitor the functioning and access to the required network connections for cross-border interoperability.***

### Amendment 4

#### Proposal for a regulation Recital 2 b (new)

*Text proposed by the Commission*

*Amendment*

***(2 b) The development of cross-border organisational, semantic and technical interoperability set out in this Regulation should in particular focus on legal interoperability, in order to facilitate the necessary swift access of businesses and citizens to legal information, faster procedures and services, which is crucial***

*for the reduction of expensive administrative obstacles and for the strengthening of the proper functioning of the single market and the associated freedoms of movement.*

## Amendment 5

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) The new governance structure should have a legal mandate to drive the further development of the European Interoperability Framework and other common interoperability solutions, such as specifications and applications. Furthermore, this Regulation should establish a clear and easily recognisable label for some interoperability solutions. The creation of a vibrant community around open government technology solutions should be fostered.

*Amendment*

(3) The new governance structure should have a legal mandate to drive the further development of the European Interoperability Framework and other common interoperability solutions, such as specifications and applications. Furthermore, this Regulation should establish a clear, **legible** and easily recognisable label for some interoperability solutions. The creation of a vibrant community around open government technology solutions should be fostered.

## Amendment 6

### Proposal for a regulation

#### Recital 4

*Text proposed by the Commission*

(4) It is in the interest of a coherent approach to public sector interoperability throughout the Union, of supporting the principle of good administration **and** the free movement of personal and non-personal data within the Union, to align the rules as far as possible for all public sectors that are controllers or providers of network and information systems used to facilitate or manage public services. This objective includes the Commission and other

*Amendment*

(4) It is in the interest of a coherent approach to public sector interoperability throughout the Union, of supporting the principle of good administration, the free movement of personal and non-personal data within the Union **and that contributes to the creation of the single market for data**, to align the rules as far as possible for all public sectors that are controllers or providers of network and information systems used to facilitate or manage public

institutions, bodies and agencies of the Union, as well as public sector bodies in the Member States across all levels of administration: national, regional and local. Agencies are playing an important role in collecting regulatory reporting data from Member States. Therefore, the interoperability of this data - should also be in scope of this Regulation.

services. This objective includes the Commission and other institutions, bodies and agencies of the Union, as well as public sector bodies in the Member States across all levels of administration: national, regional and local. Agencies are playing an important role in collecting regulatory reporting data from Member States. Therefore, the interoperability of this data - should also be in scope of this Regulation.

## Amendment 7

### Proposal for a regulation

#### Recital 6

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

(6) Interoperability facilitates successful implementation of policies, in particular those with a strong public sector connection, such as justice and home affairs, taxation and customs, transport, health, agriculture, as well as in business and industry regulation. However, a single sector interoperability perspective is associated with the risk that the adoption of different or incompatible solutions at national or sectoral levels will give rise to new electronic barriers that impede the proper functioning of the *internal* market and the associated freedoms of movement. Furthermore, it risks undermining the openness and competitiveness of markets and the delivery of services of general interest to businesses and citizens. Therefore, this Regulation should also facilitate, encourage and apply to cross-sector interoperability.

##### *Amendment*

(6) Interoperability facilitates successful implementation of policies, in particular those with a strong public sector connection, such as justice and home affairs, taxation and customs, transport, health, agriculture, *fisheries*, as well as in business and industry regulation. However, a single sector interoperability perspective is associated with the risk that the adoption of different or incompatible solutions at national or sectoral levels will give rise to new electronic barriers that impede the proper functioning of the *single* market and the associated freedoms of movement *of goods and services*. Furthermore, it risks undermining the openness and competitiveness of markets and the delivery of services of general interest to businesses and citizens. Therefore, this Regulation should also facilitate, encourage and apply to cross-sector interoperability, *which would further strengthen the single market*.

## Amendment 8



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

*Text proposed by the Commission*

(8) To set up cross-border interoperable public services, it is important to focus on the interoperability aspect as early as possible in the policymaking process. Therefore, the public organisation that intends to set up a new or to modify an existing network and information system that is likely result in high impacts on the cross-border interoperability, should carry out an interoperability assessment. This assessment is necessary to understand the magnitude of impact of the planned action and to propose measures to reap up the benefits and address potential costs. The interoperability assessment should be mandatory in three cases, which are in scope for cross-border interoperability. In other situations, the public organisations may decide to carry out the interoperability assessment on a voluntary basis.

*Amendment*

(8) To set up cross-border interoperable public services, it is important to focus on the interoperability aspect as early as possible in the policymaking process. Therefore, the public organisation that intends to set up a new or to modify an existing network and information system that is likely result in high impacts on the cross-border interoperability, should carry out an interoperability assessment. This assessment is necessary to understand the magnitude of impact of the planned action and to propose measures to reap up the benefits and address potential costs. The interoperability assessment should be mandatory in three cases, which are in scope for cross-border interoperability. In other situations, the public organisations may decide to carry out the interoperability assessment on a voluntary basis. ***Where the public organisation has already carried out an interoperability assessment, for instance in the context of proposing Union or national law, a new interoperability assessment does not need to be carried out in relation to those same requirements.***

**Amendment 9**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) Under some circumstances it may also be reasonable and economical for the subject of an interoperability assessment to be broader than a single project, for example when public sector bodies intend to establish a common application or

*Amendment*

(9) Under some circumstances it may also be reasonable and economical for the subject of an interoperability assessment to be broader than a single project, for example when public sector bodies intend to establish a common application or

processing platform. In those other cases, the assessment should be strongly encouraged to go beyond the achievement of the Interoperable Europe objectives towards a full implementation of interoperability.

processing platform. In those other cases, the assessment should be strongly encouraged to go beyond the achievement of the Interoperable Europe objectives towards a full implementation of interoperability. ***The Interoperable Europe Board when adopting the guidelines on the content of the interoperability assessment, shall take into account reduced organisational and technical structures of regional and local public bodies and avoid an excessive burden for such authorities.***

## Amendment 10

### Proposal for a regulation

#### Recital 10

*Text proposed by the Commission*

(10) The interoperability assessment should evaluate the impacts of the planned action on cross-border interoperability of network and information system, for example, having regard to the origin, nature, particularity and scale of those impacts. The outcome of that assessment should be taken into account when determining the appropriate measures that need to be taken in order to set up or modify the network and information system.

*Amendment*

(10) The interoperability assessment should evaluate the impacts of the planned action on cross-border interoperability of network and information system, for example, having regard to the origin, nature, particularity and scale of those impacts. The ***assessment may also consider cybersecurity risks and the implementation of appropriate risk-management measures.*** The outcome of that assessment should be taken into account when determining the appropriate measures that need to be taken in order to set up or modify the network and information system.

## Amendment 11

### Proposal for a regulation

#### Recital 11

*Text proposed by the Commission*

(11) The organisation should publish the

*Amendment*

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outcome of the interoperability assessment on its website. The publication of the outcome should not compromise intellectual property rights or trade secrets, and should be restricted where justified on the grounds of public order or security. The provisions of Union law governing the protection of personal data should be observed.

outcome of the interoperability assessment on its website ***and share it with the Commission for publication on the Interoperable Europe portal.*** The publication of the outcome should not compromise intellectual property rights or trade secrets, and should be restricted where justified on the grounds of public order or security. The provisions of Union law governing the protection of personal data should be observed.

## **Amendment 12**

### **Proposal for a regulation Recital 12**

#### *Text proposed by the Commission*

(12) Public sector bodies or institutions, bodies or agencies of the Union that search for interoperability solutions should be able to request from other public sector bodies or institutions, bodies or agencies of the Union the software code those organisations use, together with the related documentation. Sharing should become a default among public sector bodies, and institutions, bodies and agencies of the Union while not sharing would need a legal justification. In addition, public sector bodies or institutions, bodies, or agencies of the Union should seek to develop new interoperability solutions or to further develop existing interoperability solutions.

#### *Amendment*

(12) Public sector bodies or institutions, bodies or agencies of the Union that search for interoperability solutions should be able to request from other public sector bodies or institutions, bodies or agencies of the Union the software code those organisations use, together with the related documentation. Sharing should become a default among public sector bodies, and institutions, bodies and agencies of the Union while not sharing would need a legal justification. In addition, public sector bodies or institutions, bodies, or agencies of the Union should seek to develop new interoperability solutions or to further develop existing interoperability solutions. ***Unnecessary administrative burdens should be avoided in particular in public sector bodies or institutions that already have efficient and workable structures for interoperability. While interoperability solutions are shared, the security of these solutions should not be compromised.***

## **Amendment 13**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) When monitoring the coherence of the interoperability solutions and proposing measures to ensure their compatibility with existing solutions that share a common purpose, the Interoperable Europe Board should take into account the obsolescence of solutions.

*Amendment*

(14) When monitoring the coherence of the interoperability solutions and proposing measures to ensure their compatibility with existing solutions that share a common purpose, the Interoperable Europe Board should take into account the obsolescence of solutions. ***The mandate of the Interoperable Europe Board should cover issues related to all four levels of interoperability (legal, organisational, semantic and technical).***

**Amendment 14**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) The European Interoperability Framework (EIF) should ensure coherence and be recognised as the single point of reference for the Union's approach to interoperability in the public service sector. In addition, specialised interoperability frameworks can address the needs of specific sectors, domains or administrative levels. Those frameworks should further promote the implementation of interoperability solutions.

*Amendment*

(15) The European Interoperability Framework (EIF) should ensure coherence, ***be based on the principle of openness to technology*** and be recognised as the single point of reference for the Union's approach to interoperability in the public service sector. In addition, specialised interoperability frameworks can address the needs of specific sectors, domains or administrative levels. Those frameworks should further promote the implementation of interoperability solutions.

**Amendment 15**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

(20) An Interoperable Europe portal should be established as **a** point of reference for interoperability solutions, knowledge and community. The portal should be established as a link to official sources but should also be open to input from the Interoperable Europe Community.

*Amendment*

(20) An Interoperable Europe portal should be established as **an easy-to-access** point of reference for interoperability **assessments**, solutions, knowledge and community. The portal should be established as a link to official sources but should also be open to input from the Interoperable Europe Community.

## **Amendment 16**

### **Proposal for a regulation**

#### **Recital 22**

*Text proposed by the Commission*

(22) At the moment, the Union's public services delivered or managed electronically depend in many cases on non-Union providers. It is in the Union's strategic interest to ensure that it retains and develops essential technological capacities to secure its Digital Single Market, and in particular to ensure service delivery, protect critical network and information systems, and to provide key services. The Interoperable Europe support measures should help public administrations to evolve and be capable of incorporating new challenges and new areas in cross-border contexts. Interoperability is a condition for avoiding technological lock-in, enabling technical developments, and fostering innovation, which should boost the global competitiveness of the Union.

*Amendment*

(22) At the moment, the Union's public services delivered or managed electronically depend in many cases on non-Union providers. It is in the Union's strategic interest to ensure that it retains and develops essential technological capacities to secure its Digital Single Market, **to enhance Europe's digital sovereignty** and in particular to ensure service delivery, protect critical network and information systems, and to provide key services. The Interoperable Europe support measures should help public administrations to evolve and be capable of incorporating new challenges and new areas in cross-border contexts. Interoperability is a condition for avoiding technological lock-in, enabling technical developments, and fostering innovation, which should boost the global competitiveness, **resilience and strategic autonomy** of the Union.

## **Amendment 17**

**Proposal for a regulation**  
**Recital 24**

*Text proposed by the Commission*

(24) All levels of government should cooperate with innovative organisations, be it companies or non-profit entities, in design, development and operation of public services. Supporting GovTech cooperation between public sector bodies and start-ups and innovative SMEs, or cooperation mainly involving civil society organisations ('CivicTech'), is an effective means of supporting public sector innovation and promoting use of interoperability tools across private and public sector partners. Supporting an open GovTech ecosystem in the Union that brings together public and private actors across borders and involves different levels of government should allow to develop innovative initiatives aimed at the design and deployment of GovTech interoperability solutions.

*Amendment*

(24) All levels of government should cooperate with innovative organisations, be it companies or, ***in particular start-ups and SMEs*** non-profit entities, in design, development and operation of public services. Supporting GovTech cooperation between public sector bodies and start-ups and innovative SMEs, or cooperation mainly involving civil society organisations ('CivicTech'), is an effective means of supporting public sector innovation and promoting use of interoperability tools across private and public sector partners. Supporting an open GovTech ecosystem in the Union that brings together public and private actors across borders and involves different levels of government should allow to develop innovative initiatives aimed at the design and deployment of GovTech interoperability solutions.

**Amendment 18**

**Proposal for a regulation**  
**Recital 26**

*Text proposed by the Commission*

(26) Interoperable Europe support measures could benefit from safe spaces for experimentation, while ensuring responsible innovation and integration of appropriate risk mitigation measures and safeguards. To ensure a legal framework that is innovation-friendly, future-proof and resilient to disruption, it should be made possible to run such projects in regulatory sandboxes. Regulatory sandboxes should consist in controlled test environments that facilitate the development and testing of innovative

*Amendment*

(26) Interoperable Europe support measures could benefit from safe spaces for experimentation, while ensuring responsible innovation and integration of appropriate risk mitigation measures and safeguards. To ensure a legal framework that is innovation-friendly, future-proof and resilient to disruption, it should be made possible to run such projects in regulatory sandboxes. Regulatory sandboxes should consist in controlled test environments that facilitate the development and testing of innovative

solutions before such systems are integrated in the network and information systems of the public sector. The objectives of the regulatory sandboxes should be to foster interoperability through innovative solutions by establishing a controlled experimentation and testing environment with a view to ensure alignment of the solutions with this Regulation and other relevant Union law and Member States' legislation, to enhance legal certainty for innovators and the competent authorities and to increase the understanding of the opportunities, emerging risks and the impacts of the new solutions. To ensure a uniform implementation across the Union and economies of scale, it is appropriate to establish common rules for the regulatory sandboxes' implementation. The European Data Protection Supervisor may impose administrative fine to Union institutions and bodies in the context of regulatory sandboxes, according to Article 58(2)(i) of Regulation (EU) 2018/1725 of the European Parliament and of the Council.

solutions before such systems are integrated in the network and information systems of the public sector. The objectives of the regulatory sandboxes should be to foster interoperability through innovative solutions by establishing a controlled experimentation and testing environment with a view to ensure alignment of the solutions with this Regulation and other relevant Union law and Member States' legislation, to enhance legal certainty for innovators, ***in particular start-ups and SMEs*** and the competent authorities and to increase the understanding of the opportunities, emerging risks and the impacts of the new solutions. To ensure a uniform implementation across the Union and economies of scale, it is appropriate to establish common rules for the regulatory sandboxes' implementation. The European Data Protection Supervisor may impose administrative fine to Union institutions and bodies in the context of regulatory sandboxes, according to Article 58(2)(i) of Regulation (EU) 2018/1725 of the European Parliament and of the Council.

## Amendment 19

### Proposal for a regulation Recital 28

#### *Text proposed by the Commission*

(28) It is necessary to enhance a good understanding of interoperability issues, especially among public sector employees. Continuous training is key in this respect and ***cooperation and*** coordination on the topic should be encouraged. Beyond trainings on Interoperable Europe solutions, all initiatives should, where appropriate, build on, or be accompanied by, the sharing of experience and solutions and the exchange and promotion of best practices.

#### *Amendment*

(28) ***As a successful digital transformation depends on trained and skilled staffing***, it is necessary to enhance a good understanding of interoperability issues, especially among public sector employees. Continuous training is key in this respect and coordination, ***mobility and cooperation opportunities*** on the topic should be encouraged. ***Therefore, sufficient and qualified staff should be ensured for the well functioning of cross border interoperability.*** Beyond trainings on Interoperable Europe solutions, all

initiatives should, where appropriate, build on, or be accompanied by, the sharing of experience, *expertise* and solutions and the exchange and promotion of best practices. ***In order to ensure a high-standard of interoperability skills and to promote the exchange of interoperability experts within the single market, the Commission should build a Union-wide recognised certification programme with different skill levels, to promote best practices, human resources qualifications and a culture of excellence. This could be implemented by certifying training programmes across the Union.***

## Amendment 20

### Proposal for a regulation Recital 32

#### *Text proposed by the Commission*

(32) Advancing public sector interoperability needs the active involvement and commitment of experts, practitioners, users and the interested public across Member States, across all levels of government and involving international partners and the private sector. In order to tap into their expertise, skills and creativity, a dedicated open forum (the ‘Interoperable Europe Community’) should help channel feedback, user and operational needs, identify areas for further development and help scope priorities for EU interoperability cooperation. The establishment of the Interoperable Europe Community should support the coordination and cooperation between the strategic and operational key players for interoperability.

#### *Amendment*

(32) Advancing public sector interoperability needs the active involvement and commitment of experts, practitioners, users and the interested public across Member States, across all levels of government and involving international partners and the private sector, ***including SMEs, start-ups and open source developers, as well the representation of recipients of the public services dedicated for persons with disability***. In order to tap into their expertise, skills and creativity, a dedicated open forum (the ‘Interoperable Europe Community’) should help channel feedback, user and operational needs, identify areas for further development and help scope priorities for EU interoperability cooperation. The establishment of the Interoperable Europe Community should support the coordination and cooperation between the strategic and operational key players for



interoperability.

## Amendment 21

### Proposal for a regulation

#### Recital 33

*Text proposed by the Commission*

(33) The Interoperable Europe Community should be open to all interested parties. Access to the Interoperable Europe Community should be made as easy as possible, avoiding unnecessary barriers and burdens. The Interoperable Europe Community should bring together public and private stakeholders, including citizens, with expertise in the field of cross-border interoperability, coming from different backgrounds, such as academia, research and innovation, education, standardisation and specifications, businesses and public administration at all levels.

*Amendment*

(33) The Interoperable Europe Community should be open to all interested parties. Access to the Interoperable Europe Community should be made as easy as possible, avoiding unnecessary barriers and burdens. The Interoperable Europe Community should bring together public and private stakeholders, including citizens, with expertise in the field of cross-border interoperability, coming from different backgrounds, such as academia, research and innovation, education, standardisation and specifications, businesses and public administration at all levels ***and recipients of public services, especially those dedicated for persons with disability. The Commission should make the information in relation to the Interoperable Europe Community publicly available to raise awareness of its role.***

## Amendment 22

### Proposal for a regulation

#### Recital 35

*Text proposed by the Commission*

(35) An Interoperable Europe Agenda should be established as the Union's main instrument for the coordination of public investments in interoperability solutions. It should deliver a comprehensive overview of funding possibilities and funding

*Amendment*

(35) An Interoperable Europe Agenda should be established as the Union's main instrument for the coordination of public investments in interoperability solutions. It should deliver a comprehensive overview ***and provide easily accessible and***

commitments in the field, integrating where appropriate the related Union programmes. This should contribute to creating synergies and coordinating financial support related to interoperability development and avoiding duplication.

*comparable information* of funding possibilities and funding commitments in the field, integrating where appropriate the related Union programmes. This should contribute to creating synergies and coordinating financial support related to interoperability development and avoiding duplication. ***The Interoperable Europe Agenda should set clear objectives and should introduce key performance indicators for measuring the achievements of those objectives.***

## Amendment 23

### Proposal for a regulation

#### Recital 36

*Text proposed by the Commission*

(36) Information should be collected in order to assess the performance of this Regulation against the objectives it pursues, and in order give feedback for an evaluation of this Regulation in accordance with paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>37</sup>. Therefore, the Commission should carry out a monitoring and evaluation of this Regulation. The evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and EU value added. The evaluation should also be the basis for impact assessments of possible further measures. The monitoring should integrate existing data sources and monitoring processes.

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<sup>37</sup> OJ L 123, 12.5. 2016, p 1.

*Amendment*

(36) Information should be collected in order to assess the performance of this Regulation against the objectives it pursues, and in order give feedback for an evaluation of this Regulation in accordance with paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>37</sup>. Therefore, the Commission should carry out a monitoring and evaluation of this Regulation. The evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and EU value added. The evaluation should also be the basis for impact assessments of possible further measures. The monitoring ***mechanism*** should integrate existing data sources and monitoring processes ***in order to minimise the burden on authorities.***

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<sup>37</sup> OJ L 123, 12.5. 2016, p 1.

## Amendment 24

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

*Text proposed by the Commission*

1. This Regulation lays down measures to promote the cross-border interoperability of network and information systems which are used to provide or manage public services in the Union by establishing common rules and a framework for coordination on public sector interoperability, with the aim of fostering the development of interoperable trans-European digital public services infrastructure.

*Amendment*

1. This Regulation lays down measures to promote the cross-border interoperability of network and information systems which are used to provide or manage public services in the Union by establishing common rules and a framework for coordination **and cooperation** on public sector interoperability, with the aim of fostering the development of interoperable trans-European digital public services infrastructure.

**Amendment 25**

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

*Text proposed by the Commission*

2. This Regulation applies to public sector bodies of Member States and institutions, bodies and agencies of the Union that provide or manage network or information systems that enable public services to be delivered or managed electronically.

*Amendment*

2. This Regulation applies to public sector bodies of Member States and institutions, bodies and agencies of the Union that provide or manage network or information systems that enable public services to be delivered or managed electronically, **including Government to Consumer (G2C), Government to Business (G2B) and Government to Government (G2G) interactions.**

**Amendment 26**

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

*Text proposed by the Commission*

(2) ‘network and information system’ means a network and information system as defined in Article 4, point (1), of the **proposal for a** Directive of the European Parliament and of the Council on measures for a high common level of cybersecurity across the Union, repealing Directive (EU) 2016/1148 [**proposal NIS 2**];

*Amendment*

(2) ‘network and information system’ means a network and information system as defined in Article 6, point (1), of the Directive **(EU) 2022/2555** of the European Parliament and of the Council **of 14 December 2022** on measures for a high common level of cybersecurity across the Union, **amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and** repealing Directive (EU) 2016/1148 (NIS 2 **Directive**);

**Amendment 27**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**(9 a) ‘public services’ means services provided to Union citizens and businesses by public sector bodies including the areas of information in Annex I and the procedures in Annex II to Regulation (EU) No 2018/1724 of the European Parliament and of the Council;**

**Amendment 28**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 9 b (new)**

*Text proposed by the Commission*

*Amendment*

**(9 b) ‘cross-border services’ means public services that natural and legal persons access across different Member States or public services that are supported by data exchange between information systems, by means of dedicated functions and procedures**

*across national jurisdictions.*

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

Where a public sector body or an institution, an agency or body of the Union intends to set up a new or significantly modify an existing network and information system that enables public services to be delivered or managed electronically, it shall carry out an assessment of the impacts of the planned action on cross-border interoperability ('interoperability assessment') in the following cases:

*Amendment*

Where a public sector body or an institution, an agency or body of the Union intends to set up a new or significantly modify an existing network and information system that enables public services to be delivered or managed electronically, it shall carry out an assessment of the impacts of the planned action on cross-border interoperability ('interoperability assessment') **at least** in the following cases:

## **Amendment 30**

### **Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

***Where the public sector body or the institution, body or agency of the Union concerned has already carried out an equivalent interoperability assessment, covering the same requirements, the obligation of this paragraph shall not apply.***

## **Amendment 31**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The public sector body or the institution, body or agency of the Union concerned may also carry out the interoperability assessment in other cases.

*Amendment*

The public sector body or the institution, body or agency of the Union concerned may also carry out the interoperability assessment in other cases *where considered necessary and proportionate*.

**Amendment 32**

**Proposal for a regulation**

**Article 3 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

The public sector body or the institution, body or agency of the Union concerned shall publish a report presenting the outcome of the interoperability assessment on its website.

*Amendment*

The public sector body or the institution, body or agency of the Union concerned shall publish a report presenting the outcome of the interoperability assessment on its website, *among others in machine-readable format. The report shall include an indication on the follow-up decision on whether the new network and information system will be set up or a modification to the existing ones will be introduced. The reports shall be shared electronically with the Commission. The Commission shall ensure the publication of these reports on the Interoperable Europe portal.*

**Amendment 33**

**Proposal for a regulation**

**Article 3 – paragraph 3**

*Text proposed by the Commission*

3. The national competent authorities and the interoperability coordinators shall provide the necessary support to carry out the interoperability assessment. The Commission *may* provide technical tools to support the assessment.

*Amendment*

3. The national competent authorities and the interoperability coordinators shall provide the necessary support to carry out the interoperability assessment. The Commission *shall* provide technical tools to support the assessment, *where relevant*.

## Amendment 34

### Proposal for a regulation

#### Article 3 – paragraph 4 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(a a) a description of the opportunities of the use trust services under Regulation (EU) No 910/2014 on the cross-border interoperability;***

## Amendment 35

### Proposal for a regulation

#### Article 3 – paragraph 4 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(c a) a description of the risk assessments and the implementation of cybersecurity risk-management measures on the cross-border interoperability of all network and information systems concerned.***

## Amendment 36

### Proposal for a regulation

#### Article 3 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The public sector body, or institution, body or agency of the Union concerned shall consult recipients of the services affected or their representatives on the intended operation if it directly affects the recipients. This consultation is without prejudice to the protection of commercial or public interests or the security of such

5. The public sector body, or institution, body or agency of the Union concerned shall consult recipients of the services affected or their representatives, ***in particular SMEs and persons with disabilities***, on the intended operation if it directly affects the recipients, ***in order to ensure equal access to public services for all users***. This consultation is without

systems.

prejudice to the protection of commercial or public interests or the security of such systems.

### Amendment 37

#### Proposal for a regulation Article 3 – paragraph 6

*Text proposed by the Commission*

6. The Interoperable Europe Board shall adopt guidelines on the content of the interoperability assessment by ... at the latest [**one year** after the entry into force of this Regulation], including practical check lists.

*Amendment*

6. The Interoperable Europe Board shall adopt guidelines on the content of the interoperability assessment by ... at the latest [**9 months** after the entry into force of this Regulation], including practical check lists, **and monitor the compliance with the guidelines**.

### Amendment 38

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

*Text proposed by the Commission*

2. To enable the reusing entity to manage the interoperability solution autonomously, the sharing entity shall specify the **guarantees** that will be provided to the reusing entity in terms of cooperation, support and maintenance. Before adopting the interoperability solution, the reusing entity shall provide to the sharing entity an assessment of the solution covering its ability to manage autonomously the cybersecurity and the evolution of the reused interoperability solution.

*Amendment*

2. To enable the reusing entity to manage the interoperability solution autonomously, the sharing entity shall specify the **assistance** that will be provided to the reusing entity in terms of cooperation, support and maintenance, **as well as the timeframe for providing such assistance**. Before adopting the interoperability solution, the reusing entity shall provide to the sharing entity an assessment of the solution covering its ability to manage autonomously the cybersecurity and the evolution of the reused interoperability solution.

### Amendment 39



**Proposal for a regulation**  
**Article 4 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5 a. In order to support the creation of reusable solutions, the public sector body or an institution, body or agency of the Union may prioritise the use of free and open source software solutions, or other solutions that do not carry restrictive licensing terms and allow sharing and reuse, while ensuring high cybersecurity level. The Commission may provide support in identifying, developing and deploying such solutions.**

**Amendment 40**

**Proposal for a regulation**  
**Article 5 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Commission shall publish Interoperable Europe solutions and the European Interoperability Framework on the Interoperable Europe portal , by electronic means, in formats that are open, machine-readable, accessible<sup>42</sup> , findable and re-usable, if applicable, together with their metadata.

1. The Commission shall publish Interoperable Europe solutions and the European Interoperability Framework on the Interoperable Europe portal , by electronic means, in formats that are open, machine-readable, accessible **for persons with disabilities in line with Directive 2016/2102 and Directive 2019/882**<sup>42</sup> , findable and re-usable, if applicable, together with their metadata.

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<sup>42</sup> Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (Text with EEA relevance) (OJ L 151, 7.6.2019, p. 70–115).

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<sup>42</sup> Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (Text with EEA relevance) (OJ L 151, 7.6.2019, p. 70–115).

## Amendment 41

### Proposal for a regulation Article 6 – paragraph 1

*Text proposed by the Commission*

1. The Interoperable Europe Board shall develop a European Interoperability Framework (EIF)<sup>43</sup> and propose to the Commission to adopt it. The Commission may adopt the EIF. The Commission shall publish the EIF in the Official Journal of the European Union.

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<sup>43</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions European Interoperability Framework – Implementation Strategy, COM/2017/0134 final.

*Amendment*

1. The Interoperable Europe Board shall develop a European Interoperability Framework (EIF)<sup>43</sup> and propose to the Commission to adopt it. The Commission may adopt the EIF. **Where the Commission adopts the EIF, it** shall publish the EIF in the Official Journal of the European Union.

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<sup>43</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions European Interoperability Framework – Implementation Strategy, COM/2017/0134 final.

## Amendment 42

### Proposal for a regulation Article 7 – paragraph 1

*Text proposed by the Commission*

The Interoperable Europe Board shall recommend interoperability solutions for the cross-border interoperability of network and information systems which are used to provide or manage public services to be delivered or managed electronically in the Union. When an interoperability solution is recommended by the Interoperable Europe Board, it shall carry the label ‘Interoperable Europe solution’ and shall be published on the Interoperable Europe portal.

*Amendment*

The Interoperable Europe Board shall recommend interoperability solutions for the cross-border interoperability of network and information systems which are used to provide or manage public services to be delivered or managed electronically in the Union. When an interoperability solution is recommended by the Interoperable Europe Board, it shall carry the label ‘Interoperable Europe solution’, **displayed in a clear, legible and easily recognisable way**, and shall be published on the Interoperable Europe portal. **Where justified and necessary, the Interoperable Europe Board may withdraw such recommendations, remove**

*the 'Interoperable Europe solution' label from the relevant interoperability solutions, and delete them from the Interoperable Europe portal.*

#### Amendment 43

##### Proposal for a regulation

##### Article 8 – paragraph 1 – introductory part

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

1. The Commission shall provide a portal ('the Interoperable Europe portal') as a single point of entry for information related to cross-border interoperability of network and information systems which are used to provide or manage public services to be delivered or managed electronically in the Union. The portal shall be electronically accessible and free of charge. The portal shall have at least the following functions:

###### *Amendment*

1. The Commission shall provide a portal ('the Interoperable Europe portal') as a single point of entry for information related to cross-border interoperability of network and information systems which are used to provide or manage public services to be delivered or managed electronically in the Union. The portal shall be electronically accessible ***to all citizens, including persons with disabilities in line with Directive 2016/2102 and Directive 2019/882***, and free of charge. The portal shall have at least the following functions:

#### Amendment 44

##### Proposal for a regulation

##### Article 8 – paragraph 1 – point e

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

(e) fostering knowledge exchange between members of the Interoperable Europe Community, as set out in Article 16, such as providing a feedback system to express their views on measures proposed by the Interoperable Europe Board or express their interest to participate to actions related to the implementation of this Regulation;

###### *Amendment*

(e) fostering knowledge exchange between members of the Interoperable Europe Community, ***including start-ups and SMEs*** as set out in Article 16, such as providing a feedback system to express their views on measures proposed by the Interoperable Europe Board or express their interest to participate to actions related to the implementation of this Regulation;

## Amendment 45

### Proposal for a regulation Article 8 – paragraph 2 – point d a (new)

*Text proposed by the Commission*

*Amendment*

**(d a) enable the accessibility of public services to users.**

## Amendment 46

### Proposal for a regulation Article 9 – paragraph 2 – point c

*Text proposed by the Commission*

*Amendment*

(c) other recommended support measures, such as trainings or peer-reviews.

(c) other recommended support measures, such as trainings, **sharing of expertise** or peer-reviews.

## Amendment 47

### Proposal for a regulation Article 10 – paragraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(b a) enable accessibility of public services to users.**

## Amendment 48

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

*Text proposed by the Commission*

*Amendment*

2. Regulatory sandboxes shall be operated under the responsibility of the

2. Regulatory sandboxes shall be operated under the responsibility of the

participating public sector bodies and, where the sandbox entails the processing of personal data by public sector bodies, under the supervision of other relevant national authorities, or where the sandbox entails the processing of personal data by institutions, bodies, and agencies of the Union, under the responsibility of the European Data Protection Supervisor.

participating public sector bodies **or institutions, bodies and agencies of the Union** and, where the sandbox entails the processing of personal data by public sector bodies, under the supervision of other relevant national, authorities, or where the sandbox entails the processing of personal data by institutions, bodies, and agencies of the Union, under the responsibility of the European Data Protection Supervisor.

## Amendment 49

### Proposal for a regulation Article 11 – paragraph 3 – point b

*Text proposed by the Commission*

(b) facilitate cross-border cooperation between **national** competent authorities and synergies in public service delivery;

*Amendment*

(b) facilitate cross-border cooperation between competent authorities **in the Member States across all levels of administration: national, regional and local** and synergies in public service delivery;

## Amendment 50

### Proposal for a regulation Article 11 – paragraph 3 – point d a (new)

*Text proposed by the Commission*

*Amendment*

**(d a) contribute to evidence-based regulatory learning;**

## Amendment 51

### Proposal for a regulation Article 12 – paragraph 1

*Text proposed by the Commission*

1. The participating public sector bodies shall ensure that, to the extent the innovative interoperability solution involves the processing of personal data or otherwise falls under the supervisory remit of other national authorities providing or supporting access to data, the national data protection authorities and those other national authorities are associated to the operation of the regulatory sandbox. As appropriate, the participating public sector bodies may allow for the involvement in the regulatory sandbox of other actors within the GovTech ecosystem such as national or European standardisation organisations, notified bodies, research and experimentation labs, innovation hubs, and companies wishing to test innovative interoperability solutions. Cooperation may also be envisaged with third countries establishing mechanisms to support innovative interoperability solutions for the public sector.

*Amendment*

1. The participating public sector bodies, ***institutions, bodies and agencies of the Union*** shall ensure that, to the extent the innovative interoperability solution involves the processing of personal data or otherwise falls under the supervisory remit of other national, ***regional or local*** authorities providing or supporting access to data, the national data protection authorities and those other national, ***regional or local*** authorities are associated to the operation of the regulatory sandbox. As appropriate, the participating public sector bodies, ***institutions, bodies and agencies of the Union*** may allow for the involvement in the regulatory sandbox of other actors within the GovTech ecosystem such as national or European standardisation organisations, notified bodies, research and experimentation labs, innovation hubs, and companies wishing to test innovative interoperability solutions, ***including start-ups and SMEs***. Cooperation may also be envisaged with third countries establishing mechanisms to support innovative interoperability solutions for the public sector.

**Amendment 52**

**Proposal for a regulation**  
**Article 12 – paragraph 7**

*Text proposed by the Commission*

7. The participating public sector bodies shall submit periodic reports and a final report to the Interoperable Europe Board and the Commission on the results from the regulatory sandboxes, including good practices, lessons learnt and recommendations on their setup and, where relevant, on the development of this Regulation and other Union legislation

*Amendment*

7. The participating public sector bodies, ***institutions, bodies and agencies of the Union*** shall submit periodic reports and a final report to the Interoperable Europe Board and the Commission on the results from the regulatory sandboxes, including good practices, lessons learnt and recommendations on their setup and, where relevant, on the development of this

supervised within the regulatory sandbox. The Interoperable Europe Board shall issue an opinion to the Commission on the outcome of the regulatory sandbox, specifying, where applicable, the actions needed to implement new interoperability solutions to promote the cross-border interoperability of network and information systems which are used to provide or manage public services to be delivered or managed electronically.

Regulation and other Union legislation supervised within the regulatory sandbox. The Interoperable Europe Board shall issue an opinion to the Commission on the outcome of the regulatory sandbox, specifying, where applicable, the actions needed to implement new interoperability solutions to promote the cross-border interoperability of network and information systems which are used to provide or manage public services to be delivered or managed electronically.

### **Amendment 53**

#### **Proposal for a regulation Article 13 – paragraph 1**

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

1. The Commission, assisted by the Interoperable Europe Board, shall provide training material on the use of the EIF and on Interoperable Europe solutions. Public sector bodies and institutions, bodies and agencies of the Union shall provide their staff entrusted with strategical or operational tasks having an impact on network and information systems in the Union with appropriate training programmes concerning interoperability issues.

##### *Amendment*

1. The Commission, assisted by the Interoperable Europe Board, shall provide training material on the use of the EIF and on Interoperable Europe solutions, ***including the support to carry out cross-border interoperability assessments.*** Public sector bodies and institutions, bodies and agencies of the Union shall provide their staff entrusted with strategical or operational tasks having an impact on network and information systems in the Union with appropriate training programmes concerning interoperability issues.

### **Amendment 54**

#### **Proposal for a regulation Article 13 – paragraph 2 a (new)**

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

##### *Amendment*

***2 a. The Commission shall build a Union-wide recognised certification***

*programme with different skill levels, to promote best practices, human resources qualifications and a culture of excellence.*

## Amendment 55

### Proposal for a regulation Article 14 – paragraph 2

*Text proposed by the Commission*

2. The peer review shall be conducted by interoperability experts drawn from Member States other than the Member State where the public sector body undergoing the review is located. The Commission *may*, after consulting the Interoperable Europe Board, adopt guidelines on the methodology and content of the peer-review.

*Amendment*

2. The peer review shall be conducted by interoperability experts drawn from Member States other than the Member State where the public sector body undergoing the review is located. ***By ... at the latest [12 months after the date of application of this Regulation],*** the Commission ***shall***, after consulting the Interoperable Europe Board, adopt guidelines on the methodology and content of the peer-review. ***The Commission shall cover the costs of the peer-review.***

## Amendment 56

### Proposal for a regulation Article 15 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

The Board shall be chaired by the Commission. Countries participating in the European Economic Area and candidate countries may be invited as observers. In addition, the Chair may give the status of observer to individuals and organisations after consultation with the Interoperable Europe Board. The Chair may invite to participate, on an ad hoc basis, experts with specific competence in a subject on the agenda. The Commission shall provide the secretariat of the Interoperable Europe Board.

*Amendment*

The Board shall be chaired by the Commission. ***The European Parliament shall be invited as an observer.*** Countries participating in the European Economic Area and candidate countries may be invited as observers. In addition, the Chair may give the status of observer to individuals and organisations after consultation with the Interoperable Europe Board. The Chair may invite to participate, on an ad hoc basis, experts with specific competence in a subject on the agenda, ***in particular in open source solutions, and***



*third party service providers, as well as stakeholders representing the interests of recipients of the public services.* The Commission shall provide the secretariat of the Interoperable Europe Board.

## **Amendment 57**

### **Proposal for a regulation**

#### **Article 15 – paragraph 4 – point a**

*Text proposed by the Commission*

(a) support the implementation of national interoperability frameworks and other relevant national policies, strategies or guidelines;

*Amendment*

(a) support the implementation of national interoperability frameworks and other relevant ***Union or*** national policies, strategies or guidelines;

## **Amendment 58**

### **Proposal for a regulation**

#### **Article 15 – paragraph 4 – point l a (new)**

*Text proposed by the Commission*

*Amendment*

***(l a) propose measures to support the public administrations in development and deployment of interoperability solutions, including open source solutions;***

## **Amendment 59**

### **Proposal for a regulation**

#### **Article 15 – paragraph 4 – point r a (new)**

*Text proposed by the Commission*

*Amendment*

***(r a) monitor the functioning and access to the required network connections for cross-border interoperability.***

## Amendment 60

### Proposal for a regulation Article 15 – paragraph 5

*Text proposed by the Commission*

5. The Interoperable Europe Board may set up working groups to examine specific points related to the tasks of the Board. Working groups shall involve members of the Interoperable Europe Community.

*Amendment*

5. The Interoperable Europe Board may set up working groups to examine specific points related to the tasks of the Board. Working groups shall involve members of the Interoperable Europe Community ***as far as possible with specific competence in a subject on the agenda or relevant background, especially on accessibility of public services.***

## Amendment 61

### Proposal for a regulation Article 16 – paragraph 4 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(a a) contribute to the development of interoperability solutions;***

## Amendment 62

### Proposal for a regulation Article 16 – paragraph 4 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(c a) promote the use of interoperability standards and frameworks.***

## Amendment 63

**Proposal for a regulation**  
**Article 16 – paragraph 5**

*Text proposed by the Commission*

5. The Interoperable Europe Board shall organise once a year an online assembly of the Interoperable Europe Community.

*Amendment*

5. The Interoperable Europe Board shall organise **at least** once a year an online assembly of the Interoperable Europe Community.

**Amendment 64**

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

*Text proposed by the Commission*

(c) support public sector bodies within the Member State to set up or adapt their processes to do interoperability assessment referred to in Article 3;

*Amendment*

(c) support public sector bodies within the Member State to set up or adapt their processes to do interoperability assessment referred to in Article 3 **and ensure compliance**;

**Amendment 65**

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

*Text proposed by the Commission*

(f) coordinate and encourage the active involvement of a diverse range of **national** entities in the Interoperable Europe Community and their participation in policy implementation support projects as referred to in Article 9 and innovation measures referred to in Article 10;

*Amendment*

(f) coordinate and encourage the active involvement of a diverse range of entities **in Member States, including local and regional authorities**, in the Interoperable Europe Community and their participation in policy implementation support projects as referred to in Article 9 and innovation measures referred to in Article 10;

**Amendment 66**

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

*Text proposed by the Commission*

(a) needs for the development of interoperability solutions;

*Amendment*

(a) ***short- and long-term*** needs for the development of interoperability solutions ***and recommendations as to their application***;

**Amendment 67**

**Proposal for a regulation**  
**Article 19 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) the main objectives of the Agenda and the key performance indicators for measuring the achievement of those objectives.***

**Amendment 68**

**Proposal for a regulation**  
**Article 19 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The Interoperable Europe Agenda shall not constitute financial obligations. After its adoption, the Commission shall publish the Agenda on the Interoperable Europe portal.

3. The Interoperable Europe Agenda shall not constitute financial obligations. After its adoption, the Commission shall publish the Agenda on the Interoperable Europe portal ***and provide regular updates on its implementation.***

**Amendment 69**

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

*Text proposed by the Commission*

1. The Commission shall monitor the progress of the development of cross-border interoperable public services to be delivered or managed electronically in the Union. The monitoring shall give priority to the reuse of existing international, Union and national monitoring data and to automated data collection.

*Amendment*

1. The Commission shall monitor the progress of the development of cross-border interoperable public services to be delivered or managed electronically in the Union, ***using specific metrics and indicators to measure their effectiveness, efficiency, and impact on citizens and businesses.*** The monitoring shall give priority to the reuse of existing international, Union and national monitoring data and to automated data collection. ***The Commission shall consult the Interoperable Europe Board on the methodology and process of the monitoring.***

**Amendment 70**

**Proposal for a regulation**

**Article 20 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) the development of open source solutions for the public services, public sector innovation and the cooperation with GovTech actors in the field of cross-border interoperable public services to be delivered or managed electronically in the Union.

*Amendment*

(c) the development of open source solutions for the public services, public sector innovation and the cooperation with GovTech actors in the field of cross-border interoperable public services to be delivered or managed electronically in the Union, ***as well as the extent of open source solutions adopted by public sector bodies in the Union;***

**Amendment 71**

**Proposal for a regulation**

**Article 20 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) the accessibility of cross-border***

*interoperable public services to users, in particular to older persons and persons with disabilities.*

## Amendment 72

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

*Text proposed by the Commission*

4. By ... at the latest [three years after the date of application of this Regulation], and every four years thereafter, the Commission shall present to the European Parliament and to the Council a report on the application of this Regulation, which shall include conclusions of the evaluation. The report shall specifically assess ***the need for establishing mandatory interoperability solutions.***

*Amendment*

4. By ... at the latest [three years after the date of application of this Regulation], and every four years thereafter, the Commission shall present to the European Parliament and to the Council a report on the application of this Regulation, which shall include conclusions of the evaluation, ***and where necessary further recommendations.*** The report shall specifically assess ***at least:***

## Amendment 73

### Proposal for a regulation Article 20 – paragraph 4 – point a (new)

*Text proposed by the Commission*

*Amendment*

- (a) the impact of proposed measures for ensuring cross-border interoperability and at all administration levels on:***
- (i) citizens and businesses, in particular start-ups and SMEs in the Union,***
  - (ii) economic development,***
  - (iii) innovation,***
  - (iv) the associated cost and cost savings of interoperability disaggregated from the wider benefits of digitalisation,***
  - (v) the cybersecurity and resilience of public services;***

#### **Amendment 74**

##### **Proposal for a regulation Article 20 – paragraph 4 – point b (new)**

*Text proposed by the Commission*

*Amendment*

***(b) the mandatory use of interoperability assessment;***

#### **Amendment 75**

##### **Proposal for a regulation Article 20 – paragraph 4 – point c (new)**

*Text proposed by the Commission*

*Amendment*

***(c) the added value of sharing interoperability solutions on the Interoperable Europe portal instead of sharing them only upon request;***

#### **Amendment 76**

##### **Proposal for a regulation Article 20 – paragraph 4 – point d (new)**

*Text proposed by the Commission*

*Amendment*

***(d) the need for establishing mandatory interoperability solutions;***

#### **Amendment 77**

##### **Proposal for a regulation Article 20 – paragraph 4 – point e (new)**

*Text proposed by the Commission*

*Amendment*

***(e) the impact and effectiveness of the training received in accordance with Article 13 of this Regulation to the public services;***

## Amendment 78

### Proposal for a regulation Article 20 – paragraph 4 – point f (new)

*Text proposed by the Commission*

*Amendment*

**(f) time of public services saved by the new interoperability solutions.**

## Amendment 79

### Proposal for a regulation Article 20 – paragraph 4 – subparagraph 1 (new)

*Text proposed by the Commission*

*Amendment*

***The report shall provide evidence on the existence and scale of the problems and shall include also information on:***

***- how many interoperability solutions were in different sectors, across the Member States, and at local level in relation to this Regulation;***

***- how many open-source solutions for the public services, public sector innovation and the co-operation with GovTech actors in the field of interoperability of digital public services were developed in relation to this Regulation;***

***- how many persons received the training in accordance with Article 13 of this Regulation, divided by the Member States and different sectors;***

***- comparison of interoperability models use by the Member States, including best practices analysis in relation to the cost-benefit results, transparency, decentralisation level.***



## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act)
<b>References</b>	COM(2022)0720 – C9-0387/2022 – 2022/0379(COD)
<b>Committee responsible</b> Date announced in plenary	ITRE 21.11.2022
<b>Opinion by</b> Date announced in plenary	IMCO 21.11.2022
<b>Rapporteur for the opinion</b> Date appointed	Francisco Guerreiro 1.3.2023
<b>Discussed in committee</b>	25.4.2023                      22.5.2023
<b>Date adopted</b>	29.6.2023
<b>Result of final vote</b>	+:                      41 –:                      0 0:                      1
<b>Members present for the final vote</b>	Alex Agius Saliba, Andrus Ansip, Pablo Arias Echeverría, Alessandra Basso, Biljana Borzan, Vlad-Marius Botoș, Anna Cavazzini, Dita Charanzová, Deirdre Clune, David Cormand, Alexandra Geese, Maria Grapini, Svenja Hahn, Krzysztof Hetman, Virginie Joron, Eugen Jurzyca, Arba Kokalari, Kateřina Konečná, Andrey Kovatchev, Maria-Manuel Leitão-Marques, Antonius Manders, Beata Mazurek, Leszek Miller, Anne-Sophie Pelletier, René Repasi, Christel Schaldemose, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Kim Van Sparrentak, Marion Walsmann
<b>Substitutes present for the final vote</b>	Marco Campomenosi, Maria da Graça Carvalho, Geoffroy Didier, Francisco Guerreiro, Tsvetelina Penkova, Catharina Rinzema, Kosma Złotowski
<b>Substitutes under Rule 209(7) present for the final vote</b>	Asger Christensen, Nicolás González Casares, Miroslav Radačovský, Grzegorz Tobiszowski

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

<b>41</b>	<b>+</b>
ECR	Eugen Jurzyca, Beata Mazurek, Grzegorz Tobiszowski, Kosma Złotowski
ID	Alessandra Basso, Marco Campomenosi, Virginie Joron
PPE	Pablo Arias Echeverría, Maria da Graça Carvalho, Deirdre Clune, Geoffroy Didier, Krzysztof Hetman, Arba Kokalari, Andrey Kovatchev, Antonius Manders, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Marion Walsmann
Renew	Andrus Ansip, Vlad-Marius Botoș, Dita Charanzová, Asger Christensen, Svenja Hahn, Catharina Rinzema
S&D	Alex Agius Saliba, Biljana Borzan, Nicolás González Casares, Maria Grapini, Maria-Manuel Leitão-Marques, Leszek Miller, Tsvetelina Penkova, René Repasi, Christel Schaldemose
The Left	Kateřina Konečná, Anne-Sophie Pelletier
Verts/ALE	Anna Cavazzini, David Cormand, Alexandra Geese, Francisco Guerreiro, Kim Van Sparrentak

<b>0</b>	<b>-</b>

<b>1</b>	<b>0</b>
NI	Miroslav Radačovský

Key to symbols:

+ : in favour

- : against

0 : abstention