

## II

(Preparatory Acts)

## COMMISSION

**Amended proposal for a European Parliament and Council Decision on a series of guidelines, including the identification of projects of common interest, for trans-European networks for the electronic Interchange of Data between Administrations (IDA) <sup>(1)</sup>**

(1999/C 23/06)

(Text with EEA relevance)

COM(1998) 786 final — 97/0340(COD)

(Submitted by the Commission pursuant to Article 189a(2) of the EC Treaty on 16 December 1998)

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<sup>(1)</sup> OJ C 54, 21.2.1998, p. 3.

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ORIGINAL TEXT

AMENDED TEXT

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Recital 13a (new)

(based on European Parliament amendment 1)

(13a) Whereas Member States should take account of the telematic networks developed in the framework of Community action in the development of the projects they carry out together in areas that may become included in the EC Treaty as a consequence of the Treaty of Amsterdam, other areas subject to the Treaty on European Union, as well as any other action they may carry out that meets the objectives of the EC Treaty, and in particular Articles 3d, 7a, 8a and 48 thereof:

Recital 18

(based on European Parliament amendment 2)

(18) Whereas it is essential to maximize interoperability in order to achieve economies of scale and to increase the benefits of such networks;

(18) Whereas it is essential to maximize the use of standards, publicly available specifications and public domain applications to ensure seamless interoperability in order to achieve economies of scale and to increase the benefits of such networks;

## ORIGINAL TEXT

## AMENDED TEXT

## Recital 25

(based on European Parliament amendment 4)

(25) Whereas the Council has adopted Decision 95/468/EC on a Community contribution for telematic interchange of data between administrations in the Community (IDA);

(25) Whereas actions have been carried out under Decision 95/468/EC on a Community contribution for telematic interchange of data between administrations in the Community (IDA);

## Recital 26a (new)

(based on European Parliament amendment 6)

(26a) Whereas a modus vivendi between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the Treaty was concluded on 20 December 1994 (\*).

(\*) OJ C 102, 4.4.1996, p. 1.

## Article 1(2)

(based on European Parliament amendment 7)

2. This Decision forms part of the IDA programme.

2. This Decision covers all networks under the IDA programme.

## Article 2(c)

(based on European Parliament amendment 8)

(c) a *sectoral network* is a trans-European telematic network for administrations, devoted to the implementation or the administrative support of one particular Community policy or activity which is hereinafter referred to as an 'administrative sector';

(c) a *sectoral network* is a trans-European telematic network for administrations, devoted to the implementation or the administrative support of one particular Community policy, activity or objective which is hereinafter referred to as an 'administrative sector';

## Article 4c

(based on European Parliament amendment 9)

(c) support communication between the Community institutions, or

(c) encourage inter-institutional cooperation between the Community institutions as well as between the latter and national and regional administrations, including national and regional parliaments, or

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## Article 4g

(based on European Parliament amendment 10)

(g) otherwise provide a direct benefit to the citizens of the European Union.

(g) otherwise provide a direct benefit to the citizens or residents of the European Union.

## Article 6(2)

(based on European Parliament amendment 12)

2. The financial contribution of the Community for each IDA project shall be determined in accordance with paragraphs 3 to 7.

2. The financial contribution of the Community for each IDA project shall be determined in accordance with paragraphs 3 to 7. This contribution does not include any costs arising from the continued use of applications or specifications which contradict the priorities or the requirements of this Decision or of Decision ... adopting a series of actions and measures in order to ensure interoperability of and access to trans-European networks for the interchange of data between administrations (IDA).

## Article 9(2)

(based on European Parliament amendment 14)

2. Two years after the entry into force of this Decision or any subsequent amendment of the Annex, and the three-yearly intervals thereafter, the Commission shall, in coordination with the Member States, carry out an evaluation of the implementation of this Decision.

2. A qualitative and quantitative evaluation shall be carried out after two years of implementation and at three-yearly intervals thereafter. The findings of this evaluation shall be forwarded to the budgetary authority before the first reading of the budget for the financial year 2001.

## Article 9(3), 2nd subparagraph

(based on European Parliament amendment 15)

It shall also examine, in the light of the expenditure incurred by the Community, the benefits yielded by IDA networks to the Community, the Member States, Community industry and citizens of the European Union and identify areas for potential improvement and verify synergy with other Community activities in the field of trans-European telecommunication networks.

It shall also examine, in the light of the expenditure incurred by the Community, the benefits yielded by IDA networks to the Community for the advancement of common policies and institutional co-operation, the Member States, Community industry and citizens of the European Union and identify areas for potential improvement and verify synergy with other Community activities in the field of trans-European telecommunication networks.

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## Article 9(4)

(based on European Parliament amendment 16)

4. The Commission shall forward its evaluation to the European Parliament and the Council together with its proposal for the amendment of the Annex.

4. The Commission shall forward its evaluation to the European Parliament and the Council together with a proposal for the renewal or amendment of the Annex.

In the absence of a decision at the end of the fourth year, the projects in the Annex shall cease to be considered as projects of common interest except in respect of projects for which a Community financial contribution extending beyond that date has been decided prior to the third year.

## Article 10(2a) (new)

(based on European Parliament amendment 17)

(2a) Revenue paid over by the countries of the European Economic Area, the associated countries of central and eastern Europe and Cyprus shall be entered in the general budget and earmarked for the IDA programme.

## Article 11(2)

(based on European Parliament amendment 18)

2. The other sectoral networks shall make use of the horizontal actions and measures undertaken by the Community within the framework of Decision 98/.../EC adopting a series of actions and measures in order to ensure interoperability of and access to trans-European networks for the interchange of data between administrations (IDA), to the extent that those actions and measures are appropriate to meet the user requirements of the other sectoral networks.

2. The other sectoral networks shall make use of the horizontal actions and measures undertaken by the Community within the framework of Decision ... adopting a series of actions and measures in order to ensure interoperability of and access to trans-European networks for the interchange of data between administrations (IDA), unless those actions and measures are inappropriate to meet the user requirements of the other sectoral networks.

## Article 11(6)

(based on European Parliament amendment 19)

6. In the implementation of the other sectoral networks the Community shall bear costs in proportion to its interest.

6. In the implementation of the other sectoral networks the Community shall bear costs in proportion to its interest and provided these costs do not arise from the continued use of applications or specifications which contradict the requirements of this Decision.

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## Annex(A)(3)

(based on European Parliament amendment 21)

3. Implementation of those networks which, within the framework of the Community policies and activities and in unforeseen circumstances, are urgently required to support the action of the Community and the Member States in protecting the life and health of humans, animals and plants, the rights of the European consumers, or the fundamental interests of the Community.

3. Implementation of those networks which, within the framework of the Community policies and activities and in unforeseen circumstances, are urgently required to support the action of the Community and the Member States in protecting the life and health of humans, animals and plants, the rights of the European consumers, the living conditions of persons residing in the European Union, or the fundamental interests of the Community.

## Annex(B)(1)

(based on European Parliament amendment 22)

1. Extension of the communication and management of official documents project to all exchanges of information between the European institutions and Member State Governments and administrations and for the dissemination of Commission autonomous acts.

1. Extension of the communication and management of official documents project to all exchanges of information between the European institutions and Member State Governments and administrations and to the dissemination of Commission autonomous acts and of all Community legislation and implementing measures by the Commission and the Member States.

## Annex(C)(15)

(based on European Parliament amendment 23)

15. Telematic services for the exchange of information concerning content issues on open networks, to promote the development and free circulation of new audiovisual and information services;

15. Telematic services for the exchange of information concerning content issues on open networks, to promote the development and free circulation of new audiovisual and information services and ensure the protection of public interest requirements relating to these services;

## Annex(E)(1)

(based on European Parliament amendment 24)

1. Implementation of a telematic link between the Commission, Council, institutions and the site of the EU Presidency;

1. Implementation of a telematic network linking the European institutions and the Governments and Parliaments of the Member States, including a link with the site of the EU Presidency;