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Compliance Package

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on establishing a single digital gateway to provide information, procedures, assistance
and problem solving services and amending Regulation (EU) No 1024/2012**

(Text with EEA relevance)

{SWD(2017) 211 final}

{SWD(2017) 212 final}

{SWD(2017) 213 final}

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to users from other Member States). It also imposes on Member States an obligation to create full online access to the most important and most often used procedures. It includes a strong incentive to Member States to adopt ambitious cross-border and national e-government strategies, so EU citizens and business can benefit fully from the available technological developments.

Digitisation has indeed radically increased the potential to shorten the time and lower the cost of obtaining information and carrying out administrative procedures. Today's citizens and businesses expect public administrations to offer as user-friendly and intuitive online solutions as those existing for transactions with the private sector.

Faster, cheaper, more user-oriented digital public services contribute to competitiveness and make the EU a more attractive place to live, work and invest in. Finding relevant, accurate and understandable information online as well as the possibility to access and carry out administrative procedures online is crucial, both for individual citizens and for businesses.

Firms commonly spend a sizable part of their human resources on familiarising themselves with applicable rules and procedures required to exercise their activity. Large firms may employ dedicated staff to gather information and fulfil the relevant procedures. For SMEs and start-ups this may constitute a significant barrier. A recent study has quantified that businesses would save EUR 170 million annually if eight key procedures were available fully online, also for cross-border users. A recent study² has quantified that, if high-quality and very accessible information was available online, businesses could save between EUR 11 and 55 billion annually when researching nine business topics before engaging in cross-border activities. In a Single Market of 28 Member States, the costs of gathering information rise rapidly and disproportionately affect smaller businesses, often discouraging them from exploring opportunities outside of their home market.

Likewise, for citizens the difficulty to obtain accurate and timely information increases in a cross-border context on basic practical issues, such as how to register as a resident, have qualifications recognised, enrol children at school, register a car, receive pensions, etc.

Furthermore, businesses and citizens expect and are entitled to obtain information which is accurate, complete and up-to-date. Responses have to be timely and operational to be really useful. In addition, accessibility of information in different languages is particularly important for cross border activities.

Finding clear and comprehensive information about the applicable requirements is only a first step. Administrative procedures have to be completed in order to comply with them. Digitising key procedures reduces compliance costs and increases the rate of compliance with the applicable regulations.

Specific practical obstacles reported by European citizens and businesses need to be addressed regarding access to online procedures and information from another Member State. Some notable examples are the unavailability of information and forms in more languages, use of form fields only accepting national data, acceptance of national means of identification only, and accepting payment of fees or reimbursements only by national payment systems.

² Study on information and assistance needs of businesses operating cross-border within the EU, Final Report, April 2017.

businesses to set up and operate across the EU, from the online set up of the business, domain names, the exchange of compliance information, recognition of e-invoices, filing taxes, a simplified online VAT scheme, online information on product compliance, posting of workers, consumer rights, access to consumer and business networks, notification procedures and dispute settlement mechanisms.

- In June 2016, the REFIT Platform (consisting of representatives of businesses, social partners, civil society and Member States) issued an opinion recommending the establishment of a single entry point with clear information and coordinated services for businesses in each Member State to assist companies operating in the Single Market, and the definition of minimum common quality criteria for the content, functioning and level of integration of each portal with the single digital gateway.
- Finally, the EU Citizenship report 2017, published in January 2017, considers the single digital gateway as a priority for EU Citizenship.

This initiative responds to these calls for action with a high degree of ambition. It aims at significantly improving the online availability, quality and accessibility of information, assistance services and procedures which are relevant for citizens and businesses in the EU, all to more so when they want to operate and move within the Single Market. It is based on close cooperation between the Commission and Member States for an effective, step by step implementation of the various requirements of the project.

The Commission and the Member States will be in charge of providing information relating to the rules, rights and obligations in the key areas identified in this regulation.

In addition, Member States will be required to offer a number of key procedures fully on-line and to make them fully accessible for cross-border EU users according to an agreed timetable. This will significantly reduce administrative burden and eliminate the disproportionate hurdles faced by EU citizens and businesses from a different Member State to comply with the rules applicable in other Member States.

In turn, facilitating compliance will benefit public authorities by generating efficiencies. A comprehensive move to online procedures will contribute to the modernisation of the public administration and generate major cost savings, as reported by several Member States following their national digitalisation projects⁵. This requirement does not affect in any way existing substantive rules and requirements but increases their transparency and facilitates compliance with national and EU rules and procedures.

Information, assistance services and online procedures will be subject to clear and operational quality criteria. In particular, information in at least one official language of the Union in addition to the national language or where applicable, national languages, will be made available to citizens and businesses. Specific mechanisms will be put into place to ensure that the design of the single digital gateway is user centric, including the collection of the feedback from users.

The effective implementation of the single digital gateway will be ensured by the creation of a coordination group which will be a forum for cooperation between the Commission and the Member States. By significantly improving the user experience, the initiative will greatly improve citizens' and businesses confidence in the Single Market. Digitisation of procedures

⁵ See Chapter 6.2.3 of the Impact Assessment.

citizens and businesses users from other Member States and by laying down the main conditions to ensure such cross border accessibility.

Furthermore, this initiative requires Member States to ensure that key procedures of general relevance for citizens and businesses identified by this regulation are accessible fully online, also by cross border users. It also ensures that on the request of users, evidence can be exchanged electronically between the concerned authorities in different Member States.

Among these procedures, the registration of business activity is one of particular relevance for businesses. It should not, however, cover the procedures leading to the constitution of companies or firms as legal entities. As announced in the Single Market Strategy⁸ and the eGovernment Action Plan, the Commission has included in its Work Programme for 2017⁹ an initiative to address in a comprehensive manner the facilitation of digital solutions throughout a company's lifecycle, including procedures for online registration of business activity. The Commission is currently undertaking its preparatory work on this company law initiative and it is envisaged that the relevant online procedures will be linked to the gateway upon being established on the basis of the company law initiative.

This Regulation will require, in relation to certain key procedures, full digitisation of the "front office" (the interface between citizens or businesses on the one hand and national administrations on the other, can be just an online form to fill in). It will not affect the functioning of the "back office" (the further steps of the relevant procedure within and between national administrations) nor the substance of any procedure established at national level, i.e. the different steps or the competences of relevant national or sub-national authorities. The necessary adjustments which will have to be made, as a result of this initiative, will only relate to the process of the digitisation of the procedures and to the elimination of the obstacles to their access by cross-border users.

The access to online procedures and the digitisation of procedures will be supported by the eIDAS Regulation¹⁰ which requires Member States to recognise, by September 2018, eIDs notified by other Member States. This will take away one of the current obstacles for users to access e-procedures in other Member States.

- **Consistency with other Union policies**

This initiative contributes to the Digital Single Market strategic objective of modernising the public administration, achieving cross-border interoperability and facilitating easy interaction with citizens, also reflected in the e-Government Action Plan. It is in line with the Commission's digital transformation objective of creating a streamlined web presence and avoiding further fragmentation caused by new portals and contact points. It is in line with the recommendations of the European Interoperability Framework.

The proposal contributes to the implementation of the start-up and scale-up initiative, which promotes the growth of firms by improving the business environment and cutting red tape.

⁸ "Upgrading the Single Market: more opportunities for people and business" Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 28.10.2015, COM(2015) 550 final.

⁹ https://ec.europa.eu/commission/work-programme-2017_en

¹⁰ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).

- Actions concerning the once-only principle as part of the e-Government Action Plan will facilitate the sharing of information and data between Member States' administrations. A first step in this direction will be a large-scale pilot project on business cases and an assessment of its feasibility for citizens.

2. **LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY**

• **Legal basis**

Articles 21(2), 48 and 114 (1) TFEU are relevant for this proposal on approximation of laws. Pursuant to Article 26(2), the internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaties. Article 21(2) TFEU introduces a legal basis for the adoption of rules to facilitate the exercise by citizens of the Union of the rights referred to in Article 21(1). Article 48 provides for a legal basis for the adoption of measures in the field of social security which are necessary to provide freedom of movement for workers. Article 114 provides for a legal basis, save where otherwise provided in the Treaties for the adoption of measures for the purpose of achieving the objectives set out in article 26 TFEU.

This proposal aims at enabling citizens and businesses easy access to the information, procedures and assistance and problem solving services they need for the exercise of their rights in the internal market. To that aim, this proposal establishes a single digital gateway in which the Commission and the competent authorities would play an important role in achieving the above objectives. The initiative only aims at eliminating discrimination and reducing additional administrative burden on citizens and businesses that operate or want to operate in other Member States in full compliance with national rules and procedures, as well as eliminating discrimination in full compliance with national rules and procedures. It does not affect the substance of or competence regarding any such rules or procedures.

Since the initiative pursues a threefold purpose and the components concerning free movement of citizens, social security and the aim of achieving the internal market and ensure its functioning in regard to provision of information, procedures and assistance and problem solving services cannot be considered merely incidental, the initiative should be based on Articles 21(2), 48 and 114 (1) TFEU.

• **Subsidiarity**

The main objective of this proposal is to improve the functioning of the Single Market for all EU citizens and businesses. The Single Market is not an area with fully harmonised rules. Beyond the basic principles and the areas in which fully harmonised rules were agreed, citizens and businesses will still need to comply with national rules whenever they travel, work, live or do business across borders. Therefore it is essential for the functioning of the Single Market that citizens and businesses can easily find out what these rules are in any of the Member States other than their own. It is equally essential that the procedures for compliance with such rules should not entail a significant additional regulatory burden for foreign users as compared with domestic users.

These objectives cannot be achieved sufficiently without action at EU level. The current system of information and assistance services lacks coherence since the instruments, which were created by EU level action, are not sufficiently linked up nor sufficiently user-friendly. A common approach to ensuring quality through minimum quality standards is missing. Whilst the legal framework promotes synergies, these have not been sufficiently exploited by the Member States (in the absence of binding obligations).

For services created through binding EU law, quality criteria have proven to be too general (Points of Single Contact) or hardly exist (Products Contact Points). Additional voluntary quality criteria (Charter for PSCs) have had limited success. For services created through non-binding EU law and managed by the Commission (SOLVIT, Your Europe) quality criteria have been agreed, but due to their voluntary nature some Member States are fully on board, others are not. As a consequence, access to these services for foreign users is still limited and patchy.

EU-level assistance services are considered cost efficient when taking into account the savings and other benefits these services provide to businesses and citizens as compared to much more costly private alternative services. However, national-level assistance services (PSCs, PCPs and PCPCs) are under-performing for businesses as far as their effectiveness is concerned. Moreover, the low quality of their websites represents a missed opportunity to reduce the number of requests through better online up-front information, and thus to be even more cost-efficient. There is scope for more efficiency and easier "findability" online if the individual services promoted their services under a common brand name. This can be better achieved at EU level.

All of the instruments that were evaluated in this context were created by EU level action, but do not operate as a whole. Whilst the legal framework promotes synergies, these have not been sufficiently exploited by the Member States, notably because of the absence of binding obligations and of an overall EU-Member States governance structure that would assess and ensure consistency of all the instruments.

The underlying reasons for the under-performance of the existing services are: silo based, administration-centred approaches leading to fragmentation; EU and national level administration have designed public services to suit their own needs more than those of their users; technical solutions designed many years ago no longer reflect technical progress and best practice of today and national administrations' neglect of the non-national user.

- **Stakeholder consultations**

The overall consultation process on the single digital gateway started in November 2015 and closed in December 2016. It included a dedicated stakeholders' workshop, an online public consultation as well as numerous bilateral discussions with stakeholders and Member States.

(a) **Workshop on the Single Digital Gateway, March 2016**

Participants included representatives of the PSCs, Chambers of Commerce and national authorities. In the participants' views, many problems exist in terms of access to information, availability of e-procedures and access to assistance services. Such issues appear to be due to gaps in legislation, a lack of information or assistance as well as poor implementation by national and local authorities.

During the discussion on e-procedures participants pointed out that it is very difficult to use e-procedures across borders. Even if some Member States have made impressive progress in e-government for their own nationals, the recognition of foreign eSignature and eIDs is still very limited, making access to e-procedures for foreign users impossible.

(b) **Online public consultation**

In the online public consultation 367 replies were received of which 45% from businesses, 45% from citizens and 10% from public authorities.

- **Collection and use of expertise**

A broad range of studies and surveys carried out by the EU institutions or stakeholders from 2008 to 2017, extensive consultations with experts, Member States and other stakeholders, including a dedicated workshop, offered a solid basis of expertise.

- **Impact assessment**

An impact assessment was carried out in preparation of this initiative. The resubmitted report takes into account the recommendations made by the Regulatory Scrutiny Board in its initial negative opinion of 20 January 2017, as well as the additional points raised by the Board in its final positive opinion of 7 March 2017.

Three policy options were considered in the impact assessment:

- Option 1: nationally centralised business and citizens' portals, prescribing a central information structure via single portals on national and EU level, but taking a soft law approach with regard to the rollout of online procedures. No EU solution is foreseen for accepting documents and data from other Member States. Each Member State should merge the three main business contact points (for services and goods).
- Option 2: EU-coordinated approach, leaving Member States free as to *where* they provide the required information online. They would only need to provide the links of the relevant websites to a central Commission repository, from which a common search facility would pick them up and present them to the user in reply to a search. As part of this, an "assistance service finder" would be developed to guide users to the right assistance service. The search facility would be limited to the gateway content, and could be integrated into EU and national information portals and webpages. This option would oblige Member States to make certain key procedures for businesses and citizens fully online, according to an agreed timetable.
- Option 3: EU-wide fully centralised approach: providing all EU and national-level information through a central database on the EU level. This option would prescribe putting online the same twenty core procedures as under option 2, but would foresee the establishment of a special IT tool to allow the back office cooperation of home and host country authorities to accommodate the needs (mainly in terms of submission of evidence) of the foreign user. "Findability" of information and procedures would be easy on the central database. A common assistance finder (same as option 2) would help find assistance services.

Option 1 was considered an efficient solution, but not very effective due to the significant drawback of leaving the roll-out of online procedures voluntary for the Member States, and of the lack of a common solution for the problem of cross-border use of evidence for procedures. Furthermore, the lack of findability would not be addressed sufficiently since the search facilities on the national business portals would, in principle, not cater for searches in all EU languages. Finally, the lack of a common monitoring tool for quality would make enforcement of the quality criteria more cumbersome. For these reasons, it was concluded that this option would be unlikely to sufficiently address the needs of the users.

Option 3 had by far the best scores for meeting the needs of the users. Its fully centralised approach would guarantee a harmonised way of presenting information ensuring that users can easily find the information they are looking for. Harmonised EU wide procedures would be fully accessible for cross-border users by design. However, serious drawbacks of this option are the lack of feasibility due to little support from the Member States for such a

the Regulation. The single digital gateway coordination group, a central co-ordination body in the single digital gateway governance structure will assist the Commission in monitoring the performance of the gateway and the state of application of the Regulation.

- **Detailed explanation of the specific provisions of the proposal**

Article 1 specifies the subject matter of the proposed Regulation..

Article 2 establishes the single digital gateway and defines its scope. It clarifies that the gateway provides information on internal market related rights, obligations and rules which apply to users of the gateway in the areas listed in the Annex I of the Regulation, that it provides users with information and links to procedures established in areas listed in Annex I and finally, information and access to assistance and problem solving services which help users to understand the information or complete relevant procedures, as the ones listed in Annex III and referred to in Article 6 of this Regulation.

Article 3 contains the relevant definitions for the Regulation.

Article 4 establishes obligations on Member States and the Commission in relation to the provision of information.

Article 5 reaffirms the principle on non-discrimination in relation to online procedures by requiring Member States to make existing online procedures accessible to users from other Member States. It also requires Member States to ensure that 13 procedures listed in Annex II to the Regulation can be completed fully online and clarifies the meaning of “fully online procedure”.

Article 6 allows Member States to extend the offer of assistance and problem solving services by including in the gateway services offered by private or semi-private entities, although exclusively under certain conditions.

Articles 7 to 9 specify quality criteria related to the provision of information and explanations of procedures and assistance services to which the gateway will link.

Article 10 establishes general quality requirements related to online procedures.

Article 11 clarifies the conditions which the online procedures should meet in order to be accessible by non-national users, such as the availability of instructions in another language than the national language, the non-use of national data formats, recognition of e-ID, e-signatures and e-seals, as well as the availability of evidence in electronic format. This article provides for the use of the Internal Market Information system (IMI) to verify the authenticity of evidence.

Article 12 provides for a mechanism for the electronic exchange of evidence upon explicit request by the user. It confers power on the Commission to specify technical functionalities of such mechanism.

Article 13 specifies quality criteria related to the assistance and problem solving services.

Article 14 establishes the mechanism for the monitoring of the quality of the information, procedures and assistance services to which the gateway links. It also specifies the measures the Commission may take in order to address the quality issues.

Annex III lists the assistance and problem solving services which should be accessible through the gateway as laid down in Article 2(2)(c).

Digital Gateway”. The Union e-Government Action Plan 2016-2020¹⁸ lists the single digital gateway amongst one of its actions for 2017. The EU Citizenship report¹⁹ considers the single digital gateway as a priority for the Unions' citizenship rights.

- (3) The European Parliament and the Council have repeatedly called for a more comprehensive, more user friendly package of information and assistance to help businesses navigate the Single Market and to strengthen and streamline Single Market tools in order to better meet the needs of citizens and businesses in their cross-border activities.
- (4) This Regulation responds to these calls by offering citizens and businesses easy access to information, procedures and assistance and problem solving services they need for the exercise of their rights in the internal market. This Regulation establishes a single digital gateway in the context of which the Commission and competent authorities would play an important role in achieving those objectives.
- (5) This Regulation lists the information areas which are relevant for citizens and businesses exercising their rights within the internal market and should require Member States and the Commission to ensure that information within those areas is fully covered by national and Union level websites and portals. Furthermore, the information should not only explain the rules and obligations of citizens and businesses, but should also explain the procedures to be completed by citizens and businesses to comply with those rules and obligations. The information should also provide a description of the assistance and problem solving services which citizens and businesses can refer to where they have problems with understanding the information, with the application of that information to their particular situation or with the completion of a procedure.
- (6) Since the initiative pursues a threefold purpose aiming at reducing additional administrative burden on citizens and businesses that operate or want to operate in other Member States in full compliance with national rules and procedures, eliminating discrimination and ensuring the functioning of the internal market with regard to provision of information, procedures and assistance and problem solving services and since its components cover free movement of citizens and social security, which cannot be considered merely incidental, the initiative should be based on Articles 21(2), 48 and 114 (1) TFEU.
- (7) In order for Union citizens and businesses to enjoy their right to free movement within the internal market, the Union should adopt specific measures allowing citizens and businesses to have easy access to comprehensive and reliable information about their rights created by Union law and to information about the applicable national rules and procedures with which they will need to comply where they move to, live or study or where they establish or carry out a business in another Member State other than their own. The information to be provided at national level should not only concern national rules implementing Union law, but also any other national rules that are applicable to national citizens and businesses from other Member States alike.

¹⁸ ‘EU eGovernment Action Plan 2016-2020 Accelerating the digital transformation of government’ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2016)0179 final.

¹⁹ EU Citizenship Report: Strengthening citizens' rights in a Union of democratic change, 24 January 2017, COM(2017)30/2 final.

should also facilitate access to and completion of procedures. Therefore, this Regulation should require Member States to enable users to fully complete certain procedures online that are of key importance to the majority of citizens and businesses moving across borders, without affecting in any way the existing substantive requirements by virtue of Union and/or national law within those policy areas. In this context, the Regulation should support the use of the “once-only” principle for the purpose of the exchange of evidence between competent authorities in different Member States.

- (12) The gateway should be user-centric and user-friendly and it should allow citizens and businesses to interact with national and Union level administrations by providing them with the opportunity to give feedback in relation to both the services offered through the gateway and the functioning of the internal market as they experience it. The feedback tool should enable the user to point out perceived problems, deficiencies and needs in order to encourage continuous improvement of the quality of the services.
- (13) The success of the gateway will depend on the joint effort of the Commission and the Member States. The gateway should include a common user interface integrated into the existing Your Europe portal which will be managed by the Commission. The common user interface should provide links to information, procedures and to assistance or problem solving services available on portals managed by competent authorities in Member States and the Commission. In order to facilitate the use of the gateway, the user interface should be available in all official Union languages. The functioning of the gateway should be supported by technical tools developed by the Commission in cooperation with the Member States.
- (14) In the Charter for the electronic Points of Single Contact (PSCs) under the Services Directive²⁵, Member States made a voluntary commitment to take a user centric approach in the provision of information through the PSCs, in order to cover areas of particular importance for businesses including VAT, income taxes, social security or labour law requirements. Based on the Charter and on the experience with the Your Europe Portal, the information should also provide a description of the assistance and problem solving services to which citizens and businesses can refer to where they have problems with understanding the information, with the application of that information to their particular situation or with the completion of a procedure.
- (15) This Regulation should enhance the internal market dimension of online procedures by upholding the general principle of non-discrimination also in relation to the access by citizens or businesses to online procedures already established at the national level on the basis of national or Union law. It should be possible for users not residing in or established in a Member State to access and complete online procedures without obstacles such as form fields that require national phone numbers or national postal codes, payment of fees that can only be done through systems which do not provide for cross-border payments, lack of detailed explanations in another language other than the national language or languages, lack of possibilities to submit electronic evidence from authorities located in another Member State and lack of acceptance of electronic means of identification issued in other Member States.

²⁵ Charter was endorsed by the Council in 2013.

- (21) This Regulation should not affect the social security coordination rules set out in Regulation (EC) No 883/2004 of the European Parliament and of the Council³⁰ and Regulation (EC) No 987/2009 of the European Parliament and of the Council³¹, which define the rights and obligations of insured persons and social security institutions, as well as the procedures applicable in the field of social security coordination.
- (22) Several networks and services have been established at the national and Union level to assist citizens and business in their cross-border activities. It is important that these services, including European Consumer Centres, Your Europe Advice, SOLVIT, Intellectual Property Rights helpdesk, Europe Direct and Enterprise Europe Network, form part of the single digital gateway to ensure that all potential users can find them. Those which are listed in Annex III to this Regulation were established by binding union acts, whilst others operate on a voluntary basis. The former services should be bound by the quality criteria laid down in this Regulation while the latter should opt-in to comply with the quality requirements if they want their services to be made accessible through the gateway.
- (23) Furthermore, the Member States and the Commission may decide to add other national assistance or problem solving services, provided by competent authorities or by private and semi-private entities, under the conditions set out in this Regulation. In principle, competent authorities should be responsible for assisting citizens and businesses with any queries they have in relation to applicable rules and procedures that cannot be fully addressed by online services. However, in very specialised areas and where the service provided by private or semi-private bodies meets the users' needs, Member States can propose to the Commission to include such services in the gateway, provided that they meet all conditions set out in the Regulation and do not duplicate the assistance or problem solving services already included.
- (24) In order to assist users to identify the appropriate service, this Regulation should provide a tool that automatically guides users to the right service.
- (25) Compliance with a minimum list of quality requirements is an essential element for the success of the single digital gateway in order to ensure that the provision of information or services is reliable as otherwise it would seriously undermine the credibility of the gateway as a whole. The accessibility of information for cross-border users can be substantially improved where the information is available not only in the national language of a Member State but also in, at least, one additional official EU language of the Union. The translation from the national language or languages into this other official language of the Union should accurately reflect the content of the information provided in the national language or languages.
- (26) This Regulation should also allow for the verification of the evidence provided in electronic format by the users, where this is submitted without electronic seal or certification from the issuing competent authority and where the technical tool enabling the direct exchange of evidence between competent authorities of different Member States is not yet available. For such cases this Regulation should foresee an effective mechanism for administrative cooperation among the competent authorities

³⁰ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1–123).

³¹ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1–42).

Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁶.

- (32) The compliance with the quality criteria should be the responsibility of the competent authorities and the Commission in relation to the information, procedures and services which they are responsible for. The national coordinators and the Commission should supervise compliance with the quality criteria at national and Union level respectively, and address any problems that arise. This Regulation should give the Commission a wide range of means to address any deterioration in the quality of services offered through the gateway, depending on the seriousness and persistence of such deterioration, which would include involving the gateway coordination group. This should not prejudice the overall responsibility of the Commission regarding the monitoring of the compliance with this Regulation.
- (33) This Regulation should specify the main functionalities of the technical tools supporting the functioning of the gateway, in particular the common user interface, the repository of links and the common assistance service finder. In order to ensure uniform conditions for implementation of the technical solutions supporting the gateway, implementing powers should be conferred on the Commission to specify the organisation, structure and marking of each of the information, procedures and assistance or problem solving services under the Member States and Commission responsibilities for the purpose of the user interface. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. This Regulation should also clearly allocate the responsibility regarding the development, availability, maintenance and security of these tools between the Commission and Member States.
- (34) In order to develop the full potential of the different areas of information, the procedures and assistance and problem solving services that should be included in the gateway, the awareness of the target audiences about their existence and operation needs to be improved significantly. Their inclusion in the gateway should make it much easier for users to find the information, procedures and assistance and problem solving services they need, even where they are not familiar with any of them. In addition, a coordinated promotional effort will be needed to ensure that citizens and business across the Union will become aware of the existence of the gateway and of the advantages it offers. For maximum efficiency, promotional actions should be coordinated within the framework of the coordination group and Member States should adjust their promotional efforts so that there is a common brand reference in all relevant contexts, with a possibility of co-branding the single digital gateway with national initiatives.
- (35) In order to obtain adequate information for measuring the performance of the single digital gateway, this Regulation provides a framework for establishing common specifications for the collection and analysis of data related to the use of the different information areas, procedure and services offered through the gateway. In order to lay down the detailed categories of data to be recorded and the method of recording and exchange of data, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work,

³⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13–18).

European Parliament and of the Council³⁹] and [new Regulation replacing (EC) No 45/2001] of the European Parliament and of the Council.

- (41) The objective of this Regulation is to ensure that users who operate in other Member States have online access to comprehensive, reliable and understandable Union and national information on rights, rules and obligations, to online procedures that are fully transactional cross-border and to assistance and problem solving services. As this cannot be sufficiently achieved by the Member States the Union may adopt measures, in accordance with principle of subsidiarity as set out in Article 5 of the Treaty of the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (42) In order for the Member States and the Commission to develop and implement the necessary tools to give effect to this Regulation, certain of its provisions should apply from two years after the date of entry into force.
- (43) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, and should be implemented in accordance with those rights and principles.
- (44) The European Data Protection Supervisor was consulted in accordance with Article [28(2)] of Regulation [(EC) N° 45/2001] [new EDPS Regulation] and delivered an opinion on [date to be inserted].

HAVE ADOPTED THIS REGULATION:

Chapter I

General provisions

Article 1 *Subject matter*

- 1. This Regulation:
 - (a) lays down rules for the establishment and operation of a single digital gateway to provide citizens and businesses with easy access to high quality, comprehensive information, effective assistance and problem solving services and efficient procedures regarding Union and national rules applicable to citizens and businesses exercising or intending to exercise their rights derived from Union law in the field of the internal market, within the meaning of Article 26(2) TFEU;
 - (b) facilitates the use of procedures by users from other Member States and supports the implementation of the "once only" principle;
 - (a) lays down rules for reporting on obstacles in the internal market based on the collection of user feedback and statistics from the services covered by the gateway.

³⁹ 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).

Chapter II

Gateway services

Article 4

Access to information

1. Member States shall ensure that users have easy, online access to the following on their national webpages:
 - (a) information about the rights, obligations and rules referred to in Article 2(2)(a), which are derived from national law;
 - (b) information about the procedures referred to in Article 2(2)(b), which are established at national level;
 - (c) information about the assistance and problem solving services, referred to in Article 2(2)(c), which are provided at national level.
2. The Commission shall ensure that users have easy, online access to the following in the single portal referred to in Article 2(1):
 - (a) information about rights, obligations and rules referred to in Article 2(2)(a), which are derived from Union law;
 - (b) information about the procedures referred to in Article 2(2)(b), which are established at Union level;
 - (c) information about the assistance and problem solving services referred to in Article 2(2)(c), which are provided at Union level.

Article 5

Access to procedures

1. Member States shall ensure that where a procedure, referred to in Article 2(2)(b), established at national level, can be accessed and completed online by users of that Member State, it can be also accessed and completed by users of other Member States in a non-discriminatory way.
2. Member States shall ensure that users can complete the procedures listed in Annex II fully online.
3. The procedures, referred to in paragraph 2, shall be considered as fully online where identification, provision of information, supporting evidence, signature and final submission can be done electronically at a distance and via a single communication channel and if the output of the procedure is also delivered electronically.
4. Where the objective pursued by a given procedure, referred to in paragraph 2, cannot be achieved without requiring the user to appear in person before the competent authority at some stage of the procedure, Member States shall limit such physical presence to what is strictly necessary and objectively justified and shall ensure that other steps of the procedure can be completed fully online. They shall notify such exceptions to the Commission.
5. This Regulation shall not affect the substance of nor the rights granted through any procedure laid down at the Union or national level in any of the areas governed by this Regulation.

- (b) it includes references, links to legal acts, technical specifications and guidelines, where relevant;
 - (c) it includes the name of the entity responsible for the content of the information;
 - (d) it includes contact details and links to any relevant assistance and problem solving services;
 - (e) it includes the date of publication and the last update of the information;
 - (f) it is well-structured and presented so that users can quickly find the information they need;
 - (g) it is kept up-to-date;
 - (h) it is written in clear and plain language adapted to the needs of the target users.
2. The competent authorities shall provide the information in at least one official language of the Union in addition to the national language or, where applicable, the national languages.

Article 8

Quality of information on procedures

1. The competent authorities and the Commission shall, for the purposes of complying with Article 4, ensure that users have access to a clear and user-friendly explanation of the following elements of the procedures referred to in Article 2(2)(b) before having to identify themselves prior to launching the procedure:
- (a) the different steps of the procedure;
 - (b) the accepted means of authentication, identification and signature for this procedure;
 - (c) the type and format of evidence required to be submitted;
 - (d) the means of redress or appeal which are available in the event of disputes with the competent authorities in relation to the outcome of a procedure;
 - (e) where relevant, the applicable fees and the online method of payment;
 - (f) the estimated time required to complete the procedure and any applicable deadlines;
 - (g) the language or, where applicable, the languages in which the procedure can be carried out.
2. Where the explanation referred to in paragraph 1 is already made available for national users, it may be reused for the purposes of this Regulation, provided that it contains information in relation to the situation of non-national users, where applicable.
3. The competent authorities shall provide the explanation referred to in paragraph 1 in at least one official language of the Union in addition to the national language or, where applicable, the national languages.

- (e) where the completion of a procedure requires a payment, users are able to pay any fees online through cross-border payment services, including, at a minimum, credit transfers or direct debits as specified in Regulation (EU) No 260/2012 of the European Parliament and of the Council⁴⁰.
- 2. Where competent authorities accept digitalised copies of non-electronic evidence of identity such as identity cards or passports for national users, they shall accept such digitalised copies for users from other Member States.
- 3. Competent authorities shall cooperate through the Internal Market Information system (IMI), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council, where necessary to verify the authenticity of evidence submitted to them in electronic format by the user for the purpose of an online procedure.

Article 12

Cross-border exchange of evidence between competent authorities

- 1. For the purpose of the exchange of evidence for online procedures listed in Annex II and procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU, a technical system for the electronic exchange of evidence between competent authorities in different Member States ("the technical system") shall be established by the Commission in cooperation with the Member States.
- 2. The technical system shall fulfil the following requirements:
 - (a) it shall enable the processing of requests for evidence to be exchanged;
 - (b) it shall allow the transmission of evidence between competent authorities;
 - (c) it shall allow the processing of the evidence by the receiving competent authority;
 - (d) it shall ensure the confidentiality and integrity of the evidence;
 - (e) it shall ensure that the user has the possibility to preview the evidence to be exchanged.
- 3. Member States shall integrate the technical system as part of the procedures referred to in paragraph 1.
- 4. The competent authorities responsible for online procedures referred to in paragraph 1 shall, upon an explicit request of the user, request evidence directly from competent authorities issuing evidence in other Member States through the technical system. The issuing authorities shall, subject to paragraph 2(d), make such evidence available through the same system.
- 5. Where competent authorities issue evidence in electronic format for the purpose of procedures referred to in paragraph 1 within their own Member State, they shall also make such evidence available to the requesting competent authorities from other Member States, through the technical system.

⁴⁰

Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22–37).

- (c) send a letter with recommendations to the Member State;
 - (d) temporarily disconnect the information, procedure, assistance or problem solving service from the gateway.
3. Where an assistance or problem solving service to which links are provided in accordance with Article 6(2) consistently does not comply with requirements laid down in Article 13, or no longer meets the needs of the users as indicated by the data gathered in accordance with Article 22, the Commission may disconnect it from the gateway.

Chapter IV

Technical solutions

Article 15

Common user interface

1. The Commission shall provide a common user interface to ensure the proper functioning of the gateway.
2. The common user interface shall give access to the information, procedures and assistance or problem solving services by means of links to the relevant national and Union level websites, provided in the repository referred to in Article 16.
3. Member States and the Commission, acting in accordance with their respective roles and responsibilities, as provided for under Article 4, shall ensure that the information, procedures and assistance and problem solving services are organised, structured and marked in a way that improves findability through the user interface.
4. The Commission may adopt implementing acts laying down the detailed organisation, structure and marking of each of the information, procedures and assistance or problem solving services to enable proper functioning of the common user interface. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).

Article 16

Repository of links

1. The Commission shall establish and maintain an electronic repository for links to the information, procedures and assistance and problem solving services referred to in Article 2(2) allowing the connection between such services and the common user interface of the gateway.
2. The Commission shall provide the links to the information, procedures and assistance and problem solving services accessible on the webpages managed at Union level, and all their subsequent updates, to the repository of links.
3. The national coordinators shall provide the links to the information, procedures and assistance and problem solving services accessible on the webpages managed by competent authorities or private or semi-private entities as referred to in Article 6(3), and all their subsequent updates, to the repository of links.

The national coordinators when providing the links to assistance and problem solving services, shall indicate which services are provided by those private or semi-private entities as referred to in Article 6(3).

Chapter V

Promotion

Article 19

Name and quality label

1. The name and the logo by which the gateway shall be known and promoted to the general public, will be decided by the Commission in close cooperation with the gateway coordination group, at the latest by the date of application of this regulation.
2. The name of the gateway also serves as a quality label which may only be used in that sense by information websites and assistance and problem solving services included in the repository referred to in Article 16 as proof of adherence to the quality requirements referred to in Chapter III.

Article 20

Promotion

1. The competent authorities and the Commission shall promote the awareness and the use of the gateway amongst citizens and businesses and shall ensure the accessibility and visibility of the gateway and its services through search engines accessible to the public.
2. The competent authorities and the Commission shall coordinate their promotion activities referred to in paragraph 1 and shall refer to the gateway using its logo and reference in such activities together with any other brand names as appropriate.
3. The competent authorities and the Commission shall ensure that the gateway is easily findable through the related portals for which they are responsible and that clear links to the gateway are included in all relevant websites.
4. The national coordinators shall promote the gateway within national authorities.

Chapter VI

Collection of user feedback and statistics

Article 21

User statistics

1. The competent authorities and the Commission shall ensure that statistics are collected in relation to users' visits on the gateway and the webpages to which the gateway links in order to improve the functionality of the gateway.
2. The competent authorities and the Commission shall record and exchange, in an aggregated way, the numbers, the origin and the subject matter of requests for assistance and problem solving services and their response times.
3. The Commission is empowered to adopt delegated acts in accordance with Article 34 concerning the detailed categories of data to be recorded in accordance with paragraph 2, in relation to the information, procedures and assistance and problem solving services to which the gateway links.

Chapter VII

Governance of the gateway

Article 24

National coordinators

1. Each Member State shall appoint a national coordinator. In addition to fulfilling their obligations in accordance with Articles 6, 14, 16, 17, 20 and 22, the national coordinators shall:
 - (a) act as national contact point for all matters relating to the gateway;
 - (b) be responsible for contacts with the Commission for all matters relating to the gateway;
 - (c) promote the uniform application of Articles 7 to 13 within national authorities;
 - (d) ensure that recommendations referred to in Article 14(2)(c) are properly implemented.
2. Each Member State shall inform the other Member States and the Commission of the name and contact details of its national coordinator.

Article 25

Coordination group

A coordination group (“the gateway coordination group”) shall be established. It shall be composed of the national coordinators and shall be chaired by a representative of the Commission. It shall adopt its rules of procedure. The Commission shall provide the secretariat.

Article 26

Tasks of the gateway coordination group

1. The gateway coordination group shall support the implementation of the gateway. In particular it shall:
 - (a) facilitate the exchange and regular updating of best practice;
 - (b) discuss improvements to the presentation of information within the areas listed in Annex I;
 - (c) discuss the draft annual work programme;
 - (d) assist the Commission in monitoring the execution of the annual work programme;
 - (e) assist the Commission in monitoring the compliance with the requirements set out in Articles 7 to 11 and 13;
 - (f) inform about the implementation of Article 5(2);
 - (g) provide opinions and recommend actions to the competent authorities and the Commission with a view to avoiding or eliminating unnecessary duplication of the services available through the gateway;

2. The costs related to national webportals, information platforms, assistance services and procedures established at Member State level shall be borne from the respective budgets of the Member States, unless otherwise provided for in Union legislation.

Article 29
Protection of personal data

Processing of personal data within the framework of this Regulation by competent authorities must be in compliance with [Directive 95/46/EC] [Regulation (EU) 2016/679 of the European Parliament and of the Council]. Processing of personal data by the Commission within the framework of this Regulation, shall comply with the provisions of Regulation 00/0000 [new Regulation replacing Regulation 45/2001].

Article 30
Cooperation with other information and assistance networks

1. The Commission shall decide which existing informal governance arrangements for any of the assistance or problem solving services listed in Annex III or for any of the areas of information covered by Annex I shall be integrated in the gateway coordination group.
2. Where the information and assistance services or networks have been created by a binding Union act for any of the areas of information covered by Annex I, the Commission shall coordinate the work of the gateway coordination group and the governance bodies of such services or networks with a view to achieve synergies and to avoid duplication.

Article 31
Relationship with other provisions of Union law

Where the provisions of this Regulation conflict with a provision of another Union act governing specific aspects of the subject matter covered by this Regulation, the provision of the other Union act shall prevail.

Article 32
Internal Market Information System

1. The Internal Market Information System established by Regulation (EU) No 1024/2012 shall be used for the purposes of Article 11(4).
2. The Commission may decide to use IMI as an electronic repository of links as provided for in Article 16(1).

Article 33
Reporting and review

By four years after the entry into force of this Regulation and once every two years thereafter, the Commission shall review the application of this Regulation and submit to the European Parliament and the Council an assessment report on the functioning of the gateway and on the functioning of the internal market on the basis of the statistics and feedback collected in accordance with Articles 21, 22 and 23. The review will, in particular, evaluate the scope of Article 12 of this Regulation taking into account technological, market and legal developments concerning the exchange of evidence between competent authorities.

- (b) the competent authorities of the Member States and the Commission;
 - (c) the competent authorities of the Member States, the Commission and Union bodies, offices and agencies.
- (2) Article 3(1) is replaced by the following:
- ‘1. IMI shall be used for exchanges of information, including of personal data, among the IMI actors and the processing of that information for the purposes of either of the following:
- (a) administrative cooperation required in accordance with the acts listed in the Annex;
 - (b) administrative cooperation subject to a pilot project carried out in accordance with Article 4.’
- (3) the second paragraph of Article 5 is amended as follows:
- (a) point (a) is replaced by the following:

‘(a) ‘IMI’ means the electronic tool provided by the Commission to facilitate administrative cooperation between competent authorities of the Member States and among competent authorities of the Member States, the Commission and Union bodies, offices and agencies’;
 - (b) point (b) is replaced by the following:

‘(b) ‘administrative cooperation’ means the collaboration between IMI actors by exchanging and processing information for the purpose of better application of Union law.’;
 - (c) point (g) is deleted.
- (4) In Article 8(1) the following point is added:
- ‘(f) ‘ensuring coordination with Union bodies, offices and agencies and granting them access to IMI’;
- (5) Article 9(4) is replaced by the following:
- ‘4. Appropriate means shall be put in place by the Member States, the Commission and other Union bodies, offices and agencies to ensure that IMI users are allowed to access personal data processed in IMI only on a need-to-know basis and within the internal market area or areas for which they were granted access rights in accordance with paragraph 3.’
- (6) Article 21 is amended as follows:
- (a) paragraph 2 is replaced by the following:

‘2. The European Data Protection Supervisor shall be responsible for monitoring and ensuring the application of the provisions of this Regulation when the Commission or other Union bodies, offices and agencies, in their role as IMI actors, process personal data. The duties and powers referred to in Articles 58 and 59 of [Regulation (EU) No XX/201Y] shall apply accordingly’.
 - (b) paragraph 3 is replaced by the following:

‘3. The National Supervisory Authorities and the European Data Protection Supervisor, each acting within the scope of their respective competences, shall

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
- 1.5. Grounds for the proposal/initiative
- 1.6. Duration and financial impact
- 1.7. Management mode(s) planned

2. MANAGEMENT MEASURES

- 2.1. Monitoring and reporting rules
- 2.2. Management and control system
- 2.3. Measures to prevent fraud and irregularities

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

- 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected
- 3.2. Estimated impact on expenditure
 - 3.2.1. *Summary of estimated impact on expenditure*
 - 3.2.2. *Estimated impact on operational appropriations*
 - 3.2.3. *Estimated impact on appropriations of an administrative nature*
 - 3.2.4. *Compatibility with the current multiannual financial framework*
 - 3.2.5. *Third-party contributions*
- 3.3. Estimated impact on revenue

transaction costs for information gathering and administrative procedures, it will encourage citizens and businesses to exercise their Single Market rights.

1.4.2. Specific objective(s) and ABM/ABB activity(ies) concerned

Specific objective No

More specifically the single digital gateway aims to ensure that:

- Information about EU rights and national rules and procedures that citizens and businesses need to exercise their Single Market rights is available online;
- Information, assistance services and procedures meet minimum quality standards;
- Core national procedures are available online;
- Information and procedures are fully accessible for cross-border users;
- Awareness about the services on offer is increased and information and assistance services are easy to find and well-coordinated;
- Feedback from citizens and businesses is systematically gathered and analysed to improve service quality and to detect Single Market obstacles.

ABM/ABB activity(ies) concerned

Chapter 02 02: Competitiveness of enterprises and small and medium-sized enterprises

Chapter 02 03: Internal market for goods and services

1.4.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The single digital gateway is expected to:

- Reduce administrative burden on citizens and businesses who would like to enjoy their Single Market rights in the frame of a cross-border activity or of the mobility of citizens. By facilitating access to information, procedures and assistance services, the initiative will save citizens and businesses time and costs.
- Improve service quality for citizens and businesses.
- Reduce administrative costs for Member States when handling procedures and improve compliance with national rules.

1.4.4. Indicators of results and impact

Specify the indicators for monitoring implementation of the proposal/initiative.

The following set of indicators is envisaged:

- Percentage of businesses and citizens who indicate they have found the information they were looking for.
- Trends in average number of monthly users.
- Percentage of businesses and citizens who indicate they have easily found the information they were looking for.
- Percentage of business and citizens who indicate satisfaction with quality (based on criteria).

Construction Product Contact Points established to provide access, upon request, to product-specific technical rules; Professional Qualifications Assistance Centres aim at helping professionals moving cross-border. Networks, such as European Consumer Centres promote the understanding of EU consumers' rights and assist in resolving complaints about purchases made in another country of the network, when travelling or shopping online and SOLVIT is to deliver fast, effective and informal solutions to individuals and businesses when their EU rights in the internal market are being denied by public authorities. Several information portals were established at the EU level, such as Your Europe or e-Justice, to inform about the EU and national rules.

However, despite the efforts, the current offer for citizens and businesses remains very fragmented. There are gaps in availability of online information and procedures, lack of quality of the services, low awareness of the online offer, problems with findability and lack of accessibility of the services for non-national users remain a major issue.

1.5.4. *Compatibility and possible synergy with other appropriate instruments*

The single digital gateway is part of the E-government Action Plan, which also includes other actions that will contribute to the success of the single digital gateway, such as the once-only principle.

The proposal follows the logic of the Commission's digital transformation objective, creating a streamlined web presence and avoiding further fragmentation caused by new portals and contact points.

The Public Document Regulation is also relevant in this context, as it will require Member States to accept a series of documents from citizens without further verification and translation by the end of 2018.

Other actions of the plan that are complementary and directly relevant for the single digital gateway are the take-up of eID and e-signature through the eIDAS Regulation; the E-justice Portal (including the Business Registry Interconnection System BRIS), the VAT information portal, the interconnection of insolvency registers, and a planned company law initiative to facilitate digital solutions throughout a company lifecycle. Furthermore, the gateway is consistent with the revision of the European Interoperability Framework.

The single digital gateway is fully compatible with these initiatives that seek to improve the provision of information online or digitalise procedures at EU and national level.

2.2. Management and control system

2.2.1. Risk(s) identified

The main risk for the successful implementation of the single digital gateway is that the Member States lagging behind today (in the availability of information and procedures online, especially concerning the access of foreign citizens) will not be able to catch up quickly enough. However, the planned governance structure based on very close cooperation of the Member States and the Commission, and the possibility to use ESIF funding should help in bringing all Member States up to speed.

Another aspect is that the single digital gateway tool for exchange of evidence will be based on IMI functionalities and other technical means. The general risk framework of IMI, including operational risks, have been identified in the context of the Regulation (EU) No 1024/2012 ("IMI Regulation"). The Commission is the 'system owner' of IMI, and is responsible for its daily operation, maintenance and development. The system is developed and hosted by an internal supplier which ensures a high level of business continuity. As regards risks linked with other technical means, these remain limited thanks to the possibility to use IMI functionalities until the appropriate technical means are in place.

There are also risks related to data protection issues, but these are covered by article 29 on the protection of personal data.

2.2.2. Information concerning the internal control system set up

Addressing the general risks as identified under section 2.2.1 above, the Commission will provide assistance (e.g., meetings of the coordination group, workshops, etc.) to all stakeholders (e.g., Member States authorities, professional bodies etc.) and actively promote the introduction and use of the new system. Member States will also be required to promote the benefits of the proposed tool.

Regarding the operational aspects of the single digital gateway, these will be handled by the Commission, which will ensure high-level monitoring and control. Regular meetings and reporting instruments will facilitate close monitoring of the development and maintenance work.

In addition, the European Data Protection Supervisor ensures that personal data processing by the Commission is carried out in accordance with the applicable rules. The national data protection authorities will monitor the processing of personal data by the competent authorities at Member State level.

2.2.3. Estimate of the costs and benefits of the controls and assessment of the expected level of risk of error

The general risks will be addressed by the relevant measures, including providing assistance and information to the stakeholders concerned.

2.3. Measures to prevent fraud and irregularities

Specify existing or envisaged prevention and protection measures.

For the purposes of combating fraud, corruption and any other illegal activity, the provisions normally applicable to the activities of the Commission, including Regulation (EU, EURATOM) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European

3.2. Estimated impact on expenditure

3.2.1. Summary of estimated impact on expenditure

EUR million (to three decimal places)

Heading of multiannual financial framework		1A	Competitiveness for growth and jobs					2022 and onwards	TOTAL
DG: GROW			2018	2019	2020	2021			
• Operational appropriations									
02 02 01	Commitments	(1)	615 000	150 000	710 000				1 475 000
	Payments	(2)	615 000	150 000	710 000				1 475 000
02 03 01	Commitments	(1)			710 000				710 000
	Payments	(2)			710 000				710 000
02 03 04	Commitments	(1)				3 920 000		1 420 000	5 340 000
	Payments	(2)				3 920 000		1 420 000	5 340 000
Appropriations of an administrative nature financed from the envelope of specific programmes ⁴⁷			0	0	0	0	0	0	0
TOTAL appropriations for DG GROW	Commitments	=1+1a +3	615 000	150 000	1 420 000	3 920 000		1 420 000	7 525 000
	Payments	=2+2a +3	615 000	150 000	1 420 000	3 920 000		1 420 000	7 525 000
• TOTAL operational appropriations	Commitments	(4)	615 000	150 000	1 420 000	3 920 000		1 420 000	7 525 000
	Payments	(5)	615 000	150 000	1 420 000	3 920 000		1 420 000	7 525 000

⁴⁷ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

under HEADINGS 1 to 5 of the multiannual financial framework	Payments	700 300	931 600	2 488 600	4 700 600	2 209 600	11 030 700

- Output	Information and procedures made available in EN								1 000 000	500 000	500 000	2 000 000
- Output	Common interface for cross-border use of documents and data									1 000 000		1 000 000
Subtotal for specific objective No 4												3 000 000
SPECIFIC OBJECTIVE No 5												
Awareness about the services on offer is increased and information and assistance services are easy to find and well-coordinated												
- Output	Common search facility and common assistance finder								420 000	420 000	420 000	1 760 000
- Output	Common repository of links											75 000
- Output	Coordinated promotion									2 000 000	500 000	2 500 000
Subtotal for specific objective No 5												4 335 000
SPECIFIC OBJECTIVE No 6												
Feedback from citizens and businesses is systematically gathered and analysed to improve service quality and to detect Single Market obstacles												
- Output	Quality criteria and common user feedback tool used for linked portals											40 000
- Output	Development of user feedback tool on single market obstacles							150 000				150 000
Subtotal for specific objective No 6												190 000

3.2.3. Estimated impact on appropriations of an administrative nature

3.2.3.1. Summary

- ☐ The proposal/initiative does not require the use of appropriations of an administrative nature
- ☒ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

EUR million (to three decimal places)

	2018	2019	2020	2021	2022 and onwards	TOTAL
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HEADING 5 of the multiannual financial framework								
Human resources	69 000	690 000	828 000	690 000	759 000			3 036 000
Other administrative expenditure	16 300	91 600	240 600	90 600	30 600			469 700
Subtotal HEADING 5 of the multiannual financial framework								

Outside HEADING 5 ⁵⁰ of the multiannual financial framework								
Human resources								
Other expenditure of an administrative nature								
Subtotal outside HEADING 5 of the multiannual financial framework								0

TOTAL	85 300	781 600	1 068 600	780 600	789 600			3 505 700
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The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

⁵⁰

Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

	<p>1 FTE – analysis and publication of feedback results 2 FTEs – management of the single digital gateway</p> <p>- 2021: 1 FTE – use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence 1 FTE – monitoring quality 1 FTE – analysis and publication of feedback results 2 FTEs – management of the single digital gateway</p> <p>- 2022 and onwards: 1 FTE – use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence 0.5 FTE – use of other technical means for the exchange of evidence between Member States authorities 1 FTE – monitoring quality 1 FTE – analysis and publication of feedback results 2 FTEs – management of the single digital gateway</p>
External staff	

ANNEX
to the LEGISLATIVE FINANCIAL STATEMENT

Name of the proposal/initiative:

Proposal for a Regulation of the European Parliament and of the Council on establishing a single digital gateway to provide information, procedures, assistance and problem solving services and amending Regulation (EU) No 1024/2012

1. NUMBER and COST of HUMAN RESOURCES CONSIDERED NECESSARY
2. COST of OTHER ADMINISTRATIVE EXPENDITURE
3. METHODS of CALCULATION USED for ESTIMATING COSTS
 - 3.1. Human resources
 - 3.2. Other administrative expenditure

This annex must accompany the legislative financial statement when the inter-services consultation is launched.

The data tables are used as a source for the tables contained in the legislative financial statement. They are strictly for internal use within the Commission.

1. Cost of human resources considered necessary
 - ☐ The proposal/initiative does not require the use of human resources
 - ☒ The proposal/initiative requires the use of human resources, as explained below:

Outside HEADING 5		2018		2019		2020		2021		2022 and onwards		TOTAL	
of the multiannual financial framework		FTE	Appropriations	FTE	Appropriations	FTE	Appropriations	FTE	Appropriations	FTE	Appropriations	FTE	Appropriations
• Establishment plan posts (officials and temporary staff)													
• 10 01 05 02 (Direct research)	AD												
	AST												
	AD												
	AST												
• External staff ⁵⁴													
• XX 01 04 yy Sub-ceiling for external staff from operational appropriations (former 'BA' lines).	• - at Headquarters	AC											
		END											
		INT											
	• - in Union delegations	AC											
		AL											
		END											
		INT											
		JED											
• XX 01 05 02 (Indirect research)	AC												
	END												
	INT												
• 10 01 05 02 (Direct research)	AC												
	END												
	INT												
• Other budget lines (specify)													
• Subtotal – Outside HEADING 5		0	0	0	0	0	0	0	0	0	0	0	0

⁵⁴

AC = Contract Staff; AL = Local Staff; END = Seconded National Expert; INT = agency staff; JED = junior experts in delegations.

• XX 01 02 12 02 - Further training of staff										
• XX 01 03 02 01 - Acquisition, renting and related expenditure										
• XX 01 03 02 02 Equipment, furniture, supplies and services										
• Subtotal HEADING 5 of the multiannual financial framework	16 300	91 600	240 600	90 600	30 600	469 700				

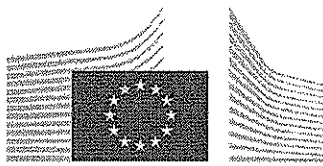
XX is the policy area or budget title concerned.

3. Methods of calculation used to estimate costs

3.1. Human resources

This part sets out the method of calculation used to estimate the human resources considered necessary (workload assumptions, including specific jobs (Sysper 2 work profiles), staff categories and the corresponding average costs)

<ul style="list-style-type: none"> • HEADING 5 of the multiannual financial framework
<ul style="list-style-type: none"> • <u>NB: The average costs for each category of staff at Headquarters are available on BudgWeb: https://myintracomm.ec.europa.eu/budgweb/EN/pre/legalbasis/Pages/pre-040-020_preparation.aspx</u>
<ul style="list-style-type: none"> • Officials and temporary staff • <u>- 2nd half of 2018:</u> • <u>1 FTE – preparatory work for the use of the IMI system (for developing the repository of links and for the use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence)</u> • <u>- 2019:</u> • 1 FTE – use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence • 2 FTEs – monitoring quality • 2 FTEs – management of the single digital gateway • <u>- 2020:</u> • 1 FTE – use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence • 2 FTEs – monitoring quality • 1 FTE – analysis and publication of feedback results • 2 FTEs – management of the single digital gateway • <u>- 2021:</u> • 1 FTE – use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence • 1 FTE – monitoring quality • 1 FTE – analysis and publication of feedback results • 2 FTEs – management of the single digital gateway • <u>- 2022 and onwards:</u> • 1 FTE – use of the IMI system for the cooperation between Member States authorities to verify authenticity and validity of evidence • 0.5 FTE – use of other technical means for the exchange of evidence between Member States authorities • 1 FTE – monitoring quality • 1 FTE – analysis and publication of feedback results • 2 FTEs – management of the single digital gateway
<ul style="list-style-type: none"> • External staff
<ul style="list-style-type: none"> • Outside HEADING 5 of the multiannual financial framework
<ul style="list-style-type: none"> • Only posts financed from the research budget



EUROPEAN
COMMISSION

Brussels, 2.5.2017
COM(2017) 256 final

ANNEXES 1 to 3

Compliance Package

ANNEXES

to the

PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on establishing a single digital gateway to provide information, procedures, assistance
and problem solving services and amending Regulation (EU) No 1024/2012**

{SWD(2017) 211 final}
{SWD(2017) 212 final}
{SWD(2017) 213 final}
{SWD(2017) 214 final}

	<ul style="list-style-type: none"> • health and safety obligations in relation to different types of activity • social security rights and obligations in the Union including those related to getting pensions
Vehicles in the Union	<ul style="list-style-type: none"> • taking a motor vehicle temporarily or permanently to another Member State • acquiring and renewing a driving license • taking out mandatory motor insurance • buying and selling a motor vehicle in another Member State • renting a motor vehicle • national traffic rules and requirements for drivers
Residence in another Member State	<ul style="list-style-type: none"> • moving temporarily or permanently to another Member State • participating in municipal elections and elections to the European Parliament • requirements for residence cards for Union citizens and their -family members, including family members who are not Union citizens
Education or traineeship in another Member State	<ul style="list-style-type: none"> • attending school in another Member State • attending university in another Member State • volunteering in another Member State • traineeships in another Member State • conducting research in another Member State as part of an education programme
Healthcare	<ul style="list-style-type: none"> • getting medical treatment in another Member State • buying prescribed pharmaceutical products in Member State other than the one where the prescription was issued, on-line or in person
Cross-border family rights, obligations and rules	<ul style="list-style-type: none"> • birth, custody for minor children, parental responsibilities, maintenance obligations in relation to children in a cross-border family situation • living in a couple with different nationalities (marriage, separation, divorce, marital property rights, the rights of cohabitants) • rights in relation to succession in another Member State
Consumers in cross-border situations	<ul style="list-style-type: none"> • buying goods and services from another Member State (including financial), on-line or in person • holding a bank account in another Member State • connection to utilities, such as gas, electricity, water,

Taxes	<ul style="list-style-type: none"> • VAT: information on the general rules, rates and exemptions, registering for and paying VAT, getting a refund • excise duties: information on the general rules, rates and exemptions • other taxes: payment, rates
Goods	<ul style="list-style-type: none"> • obtaining CE marking • identifying applicable standards, technical specifications and getting products certified • mutual recognition of products not subject to Union-specifications • requirements regarding classification, labelling and packaging for hazardous chemicals • distance/off-premises selling: information to be given to customers in advance,, confirmation of the contract in writing, withdrawal from a contract, delivering of the goods, other specific obligations • defective products: consumer rights and guarantees, after-sale responsibilities , means of redress for an injured party • certification, labels (EMAS, energy labels, Eco-design, EU eco-label) • recycling and waste management
Services	<ul style="list-style-type: none"> • acquiring licenses, authorisations or permits with a view to starting a business • notifying the authorities of cross-border activities • recognition of professional qualifications
Funding a business	<ul style="list-style-type: none"> • getting access to finance at the Union level, including Union funding programmes and business grants • getting access to finance at national level • initiatives addressed to entrepreneurs (exchanges organised for new entrepreneurs, mentoring programmes etc.)
Public contracts	<ul style="list-style-type: none"> • Participating in public tenders: rules and procedures • submitting a bid online in response to a public call for tender • reporting irregularities in relation to the tender process
Health and safety at work	<ul style="list-style-type: none"> • Health and safety obligations in relation to different types of activity, including prevention of risks, information and training

	employees	payment of social contributions for employees
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ANNEX III

List of the assistance and problem solving services referred to in Article 2(2)(c)

- (1) Points of Single Contact
- (2) Product Contact Points
- (3) Construction Product Contact Points
- (4) National Assistance Centres for Professional Qualifications
- (5) Health Contact Points
- (6) EURES
- (7) Online Dispute Resolution