



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.3.2004
COM(2004) 219 final

2003/0147 COD

OPINION OF THE COMMISSION

**pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the proposal for a**

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on Interoperable Delivery of pan-European eGovernment Services
to Public Administrations, Businesses and Citizens (IDABC)**

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

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1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the three amendments proposed by Parliament.

2. BACKGROUND

- On 8 July 2003, the Commission transmitted to the European Parliament and to the Council its proposal for a decision [COM(2003) 406 final – 2003/0147 (COD)].
- In the first reading, the European Parliament delivered its opinion with five amendments on 18 November 2003.
- The Commission accepted all amendments of the European Parliament and modified orally its proposal accordingly on 18 November 2003.
- The Council adopted its Common Position unanimously on 18 December 2003.
- On 12 January 2004, the Commission adopted its Communication to the European Parliament on the Council's Common Position, pursuant to the second subparagraph of Article 251(2) of the EC Treaty.
- On 11 March 2004, the European Parliament adopted, at the second reading, a resolution containing three amendments to the Common Position.

3. PURPOSE OF THE PROPOSAL

The purpose of the Commission Proposal is to identify, support and promote the development and establishment of pan-European eGovernment services and the underlying interoperable telematic networks supporting the Member States and the Community in the implementation, within their respective areas of competence, of Community policies and activities, achieving substantial benefits for public administrations, businesses and citizens.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

The Commission accepts the three amendments made by the European Parliament at the second reading. The amendments are in line with the objectives of the Commission's original proposal and the Common Position, complementing and clarifying the text.

4.1. Amendments accepted by the Commission

- Amendment 1 adds “and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communication sector” to Recital 15, thereby pointing to another important directive.
- Amendment 2 adds “and policies” to Article 6(7), thereby clarifying that “eInclusion” is not a programme.
- Amendment 3 adds, in Article 10(8), “31 December 2006” as the date by which mechanisms to ensure the financial and operational sustainability of infrastructure services shall be defined and agreed, thereby allowing the Commission to take into account the results of the first evaluation of the implementation of the Decision before proposing such mechanisms.

4.2. Amendments rejected by the Commission

No amendments have been rejected by the Commission.

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.