

Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (Text with EEA relevance)

CHAPTER II

FUNCTIONS AND RESPONSIBILITIES IN RELATION TO IMI

Article 6

IMI coordinators

1 Each Member State shall appoint one national IMI coordinator whose responsibilities shall include:

- a registering or validating registration of IMI coordinators and competent authorities;
- b acting as the main contact point for IMI actors of the Member States for issues relating to IMI, including providing information on aspects relating to the protection of personal data in accordance with this Regulation;
- c acting as interlocutor of the Commission for issues relating to IMI including providing information on aspects relating to the protection of personal data in accordance with this Regulation;
- d providing knowledge, training and support, including basic technical assistance, to IMI actors of the Member States;
- e ensuring the efficient functioning of IMI as far as it is within their control, including the provision of timely and adequate responses by IMI actors of the Member States to requests for administrative cooperation.

2 Each Member State may, in addition, appoint one or more IMI coordinators in order to carry out any of the tasks listed in paragraph 1, in accordance with its internal administrative structure.

3 Member States shall inform the Commission of the IMI coordinators appointed in accordance with paragraphs 1 and 2 and of the tasks for which they are responsible. The Commission shall share that information with the other Member States.

4 All IMI coordinators may act as competent authorities. In such cases an IMI coordinator shall have the same access rights as a competent authority. Each IMI coordinator shall be a controller with respect to its own data processing activities as an IMI actor.

Article 7

Competent authorities

1 When cooperating by means of IMI, competent authorities, acting through IMI users in accordance with administrative cooperation procedures, shall ensure that, in accordance with the applicable Union act, an adequate response is provided within the shortest possible period of time, and in any event within the deadline set by that act.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1024/2012 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

2 A competent authority may invoke as evidence any information, document, finding, statement or certified true copy which it has received electronically by means of IMI, on the same basis as similar information obtained in its own country, for purposes compatible with the purposes for which the data were originally collected.

3 Each competent authority shall be a controller with respect to its own data processing activities performed by an IMI user under its authority and shall ensure that data subjects can exercise their rights in accordance with Chapters III and IV, where necessary, in cooperation with the Commission.

Article 8

Commission

- 1 The Commission shall be responsible for carrying out the following tasks:
- a ensuring the security, availability, maintenance and development of the software and IT infrastructure for IMI;
 - b providing a multilingual system, including existing translation functionalities, training in cooperation with the Member States, and a helpdesk to assist Member States in the use of IMI;
 - c registering the national IMI coordinators and granting them access to IMI;
 - d performing processing operations on personal data in IMI, where provided for in this Regulation, in accordance with the purposes determined by the applicable Union acts listed in the Annex;
 - e monitoring the application of this Regulation and reporting back to the European Parliament, the Council and the European Data Protection Supervisor in accordance with Article 25^[F1];
- [^{F2}f ensuring coordination with Union bodies, offices and agencies and granting them access to IMI.]

2 For the purposes of performing the tasks listed in paragraph 1 and producing statistical reports, the Commission shall have access to the necessary information relating to the processing operations performed in IMI.

3 The Commission shall not participate in administrative cooperation procedures involving the processing of personal data except where required by a provision of a Union act listed in the Annex.

Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation \(EU\) No 1024/2012 \(Text with EEA relevance\)](#).
- F2** Inserted by [Regulation \(EU\) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation \(EU\) No 1024/2012 \(Text with EEA relevance\)](#).

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Article 9

Access rights of IMI actors and users

- 1 Only IMI users shall have access to IMI.
- 2 Member States shall designate the IMI coordinators and competent authorities and the internal market areas in which they have competence. The Commission may play a consultative role in that process.
- 3 Each IMI actor shall grant and revoke, as necessary, appropriate access rights to its IMI users in the internal market area for which it is competent.
- [^{F14} Appropriate means shall be put in place by the Member States, the Commission and 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.]
- 5 The use of personal data processed in IMI for a specific purpose in a way that is incompatible with that original purpose shall be prohibited, unless explicitly provided for by national law in accordance with Union law.
- 6 Where an administrative cooperation procedure involves the processing of personal data, only the IMI actors participating in that procedure shall have access to such personal data.

Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation \(EU\) No 1024/2012 \(Text with EEA relevance\)](#).

Article 10

Confidentiality

- 1 Each Member State shall apply its rules of professional secrecy or other equivalent duties of confidentiality to its IMI actors and IMI users, in accordance with national or Union legislation.
- 2 IMI actors shall ensure that requests of other IMI actors for confidential treatment of information exchanged by means of IMI are respected by IMI users working under their authority.

Article 11

Administrative cooperation procedures

IMI shall be based on administrative cooperation procedures implementing the provisions of the relevant Union acts listed in the Annex. Where appropriate, the Commission may adopt implementing acts for a specific Union act listed in the

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Annex or for a type of administrative cooperation procedure, setting out the essential technical functionality and the procedural arrangements required to enable the operation of the relevant administrative cooperation procedures, including where applicable the interaction between external actors and IMI as referred to in Article 12. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 24(2).

Article 12

External actors

Technical means may be provided to allow external actors to interact with IMI where such interaction is:

- (a) provided for by a Union act;
- (b) provided for in an implementing act referred to in Article 11 in order to facilitate administrative cooperation between competent authorities in Member States for the application of the provisions of Union acts listed in the Annex; or
- (c) necessary for submitting requests in order to exercise their rights as data subjects in accordance with Article 19.

Any such technical means shall be separate from IMI and shall not enable external actors to access IMI.

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Changes and effects yet to be applied to :

- [Regulation revoked by S.I. 2022/1306 reg. 5](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex para. 12 omitted by [S.I. 2020/793 reg. 3](#)
- Art. 5(b) words substituted by [S.I. 2022/1306 reg. 3\(4\)\(b\)](#)
- Art. 5(c) omitted by [S.I. 2022/1306 reg. 3\(4\)\(c\)](#)
- Art. 5(e) words inserted by [S.I. 2022/1306 reg. 3\(4\)\(d\)](#)
- Art. 5(f) words substituted by [S.I. 2022/1306 reg. 3\(4\)\(e\)](#)
- Art. 5(i) omitted by [S.I. 2022/1306 reg. 3\(4\)\(f\)](#)
- Art. 5(l)(m) inserted by [S.I. 2022/1306 reg. 3\(4\)\(g\)](#)
- Art. 6(1)(b) words substituted by [S.I. 2022/1306 reg. 3\(5\)\(a\)\(ii\)](#)
- Art. 6(1)(d) words substituted by [S.I. 2022/1306 reg. 3\(5\)\(a\)\(iii\)](#)
- Art. 6(1)(e) words substituted by [S.I. 2022/1306 reg. 3\(5\)\(a\)\(iv\)](#)