

ANNEX

I.COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY

1. Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain⁽¹⁾

In order to set out the conditions for the implementation of the .eu country code Top Level Domain (ccTLD) established by Regulation (EC) No 733/2002, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Regulation with the criteria and the procedure for the designation of the Registry, and with public policy rules concerning the implementation and functions of the .eu Top Level Domain (TLD) and the public policy principles on registration. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Accordingly, Regulation (EC) No 733/2002 is amended as follows:

- (1) in Article 3(1), point (a) of the first subparagraph is replaced by the following:
 - (a) adopt delegated acts in accordance with Article 5a in order to supplement this Regulation by establishing the criteria and the procedure for the designation of the Registry.

Where, in the case of establishing the criteria and the procedure for the designation of the Registry, imperative grounds of urgency so require, the procedure provided for in Article 5b shall apply to delegated acts adopted pursuant to this Article;;
- (2) Article 5 is amended as follows:
 - (a) in paragraph 1, the first subparagraph is replaced by the following:

After consulting the Registry, the Commission is empowered to adopt delegated acts in accordance with Article 5a in order to supplement this Regulation by setting out public policy rules on the implementation and function of the .eu TLD and public policy principles on registration.;
 - (b) in paragraph 2, the third subparagraph is replaced by the following:

Where a Member State or the Commission within 30 days of publication raises an objection to an item included in a notified list, the Commission is empowered to adopt delegated acts in accordance with Article 5a in order to remedy the situation by supplementing this Regulation.;
- (3) the following Articles are inserted:

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/1243 of the European Parliament and of the Council, Division I.. (See end of Document for details)

Article 5a

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 3(1) and Article 5(1) and (2) shall be conferred on the Commission for a period of five years from 26 July 2019. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 3(1) and Article 5(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁽²⁾.

5 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6 A delegated act adopted pursuant to Article 3(1) and Article 5(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 5b

Urgency procedure

1 Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2 Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 5a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.;

(4) in Article 6, paragraphs 3 and 4 are deleted.

2. Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS)⁽³⁾

In order to ensure uniform conditions for the implementation of Decision No 626/2008/EC, implementing powers should be conferred on the Commission concerning appropriate modalities for coordinated application of the rules on enforcement. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Accordingly, Decision No 626/2008/EC is amended as follows:

- (1) in Article 9, paragraph 3 is replaced by the following:
 3. The Commission may adopt, by means of implementing acts, measures defining any appropriate modalities for coordinated application of the rules on enforcement referred to in paragraph 2 of this Article, including rules for the coordinated suspension or withdrawal of authorisations for breaches of the common conditions provided for in Article 7(2). Those implementing acts shall be adopted in accordance with the procedure referred to in Article 10(3).;
- (2) in Article 10, paragraph 4 is deleted.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/1243 of the European Parliament and of the Council, Division I.. (See end of Document for details)

- (1) OJ L 113, 30.4.2002, p. 1.
- (2) OJ L 123, 12.5.2016, p. 1.;
- (3) OJ L 172, 2.7.2008, p. 15.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2019/1243 of the European Parliament and of the Council, Division I..